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Municipal Development Plan for the City of Halifax

Part II

90-03395/

THIS COPY IS A
REPRINT OF THE
MUNICIPAL DEVELOPMENT PLAN
WITH AMENDMENTS TO
15 FEBRUARY 1990

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PLAN AMENDMENTS

INTRODUCTION

Part II constitutes the Municipal Development Plan for the City of Halifax as required by the Planning Act. It sets forth statements of policy with respect to present and future land use, transportation facilities, service facilities (schools, parks, open spaces), budgeting and citizen participation. The geographic implications of these policies are shown in map form. The framework for the control of land use is addressed through statements of policy dealing with land use regulations and a statement of policy (in map and text form) dealing with generalized future land use.

In accordance with the planning process described in Part I of this document, there are nine detailed policy sections in this part which set out statements of policy for the Central Business District (Section III), the Halifax Waterfront Development Area (Section IV), the South End Area (Section V), the Peninsula Centre Area (Section VI), the Fairview Area (Section VII), the Bedford Highway Area (Section VIII), the Spring Garden Road Commercial Area (Section IX), the Mainland South Area (Section X), and the Quinpool Road Commercial Area (Section XII) respectively. These area plans are enabled by city-wide policies in Part II, Section II and define the detailed policy directions which the City of Halifax will employ in decision-making for these specific areas.

Under the provisions of the Planning Act, a municipality cannot regulate directly from a Municipal Development Plan; rather, it must regulate from a Zoning Bylaw adopted by the municipality to carry out the intent of the Plan. It should, therefore, be noted that there is an essential distinction in the policies of the Plan as they relate to this point, such distinction being defined by the use of the words "should" or "shall" in the policies. Where "shall" is used in a policy relating to a land use matter, it points to implementation of that policy through zoning regulations. Similarly, where "should" is used, the policy, for the purposes of land use control, will apply to any decision on a development application, rezoning, or zoning amendment made by Council.

SECTION I

BASIC APPROACH AND OVERALL OBJECTIVE

The basic decision-making approach to the City of Halifax with respect to development is that:

> **Objectives, policies, plans, and programs shall be identified and shall be the foundation for decision-making with regard to the physical, social and economic development of Halifax. In consideration of development matters, alternative courses of action shall be identified and evaluated, whereupon the proper course of action can be selected.**

The overall objective of the Halifax Municipal Development Plan and for ongoing planning is:

> **The enhancement of the physical, social, and economic well-being of the citizenry of Halifax through the preservation, creation, and maintenance of an interesting and livable City, developed at a scale and density which preserve and enhance the quality of life.**

SECTION II

CITY-WIDE OBJECTIVES AND POLICIES

1. ECONOMIC DEVELOPMENT

Objective The development of the City as a major business, cultural, government, and institutional centre of Atlantic Canada, while enhancing its image as a place to live and work.

1.1 The City should encourage an economic climate conducive to development and the growth of employment opportunities.

1.1.1 The City should take action on matters within its jurisdiction to compete effectively in the Atlantic Region and the metropolitan area for potential development opportunities that add to its position in Atlantic Canada.

1.1.2 The City shall monitor its growth and development to ensure that current objectives and policies reflect changing national and regional economic environments.

1.2 The City should strive to expand its tax base so that it can maintain its tax rates at levels that are competitive with other municipalities of the region.

1.2.1 The City should seek to provide municipal services commensurate with the capacity of its tax base and the high standard of living and working environments essential to encourage growth and change.

1.2.2 In considering new development regulations and changes to existing regulations, and development applications, the City shall give consideration of any additional tax revenues or municipal costs that may be generated therefrom.

1.2.3 Pursuant to Policy 1.2.2, the City shall investigate techniques of assessing the fiscal effects of its actions and shall consider the adoption of uniform methods where justified and appropriate.

1.3 The City should seek equitable government support to reduce its dependence on the property tax and support its special role within the metropolitan region.

1.4 The City should seek alternate means to acquire revenue in order to reduce its dependence on the property tax base.

1.5 The City should provide a policy environment within which development can respond to changing market demands, while clarifying the intentions of the City and ensuring that development conforms to a pattern that is cost-effective for the City.

1.6 The City should direct the location of development in a manner consistent with its capital program, and economic, social and environmental objectives.

1.7 The City should establish land-use regulations that promote the development of high quality commercial, industrial, and residential areas.

2. RESIDENTIAL ENVIRONMENTS

Objective The provision and maintenance of diverse and high quality housing in adequate amounts, in safe residential environments, at prices which residents can afford.

2.1 Residential development to accommodate future growth in the City should occur both on the Peninsula and on the Mainland, and should be related to the adequacy of existing or presently budgeted services.

2.1.1 On the Peninsula, residential development should be encouraged through retention, rehabilitation and infill compatible with existing neighbourhoods; and the City shall develop the means to do this through the detailed area planning process.

2.1.2 On the Mainland, residential development should be encouraged to create sound neighbourhoods through the application of a planned unit development process and this shall be accomplished by Implementation Policy 3.3. It is the intention of the City to prepare and adopt a planned unit development zone subsequent to the adoption of this Plan.

2.1.3 Repealed.

2.1.4 In accordance with Policy 2.1.3, the City shall permit only limited development with on-site services in that portion of the Mainland South area indicated on Map 1 and this shall be accomplished by Implementation Policy 3.6.

2.1.5 Development in the area shown on Map 1 to the west of the Bicentennial Drive shall be limited due to environmental sensitivity and a lack of municipal services. Only detached single unit residential dwellings and community facilities with on-site services shall be permitted.

2.2 The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.

2.3 The City shall investigate alternative means for encouraging well-planned, integrated development.

2.3.1 The City should restrict ribbon development which does not conform to the policies of this document and should seek ways to remove any such development which may become obsolete.

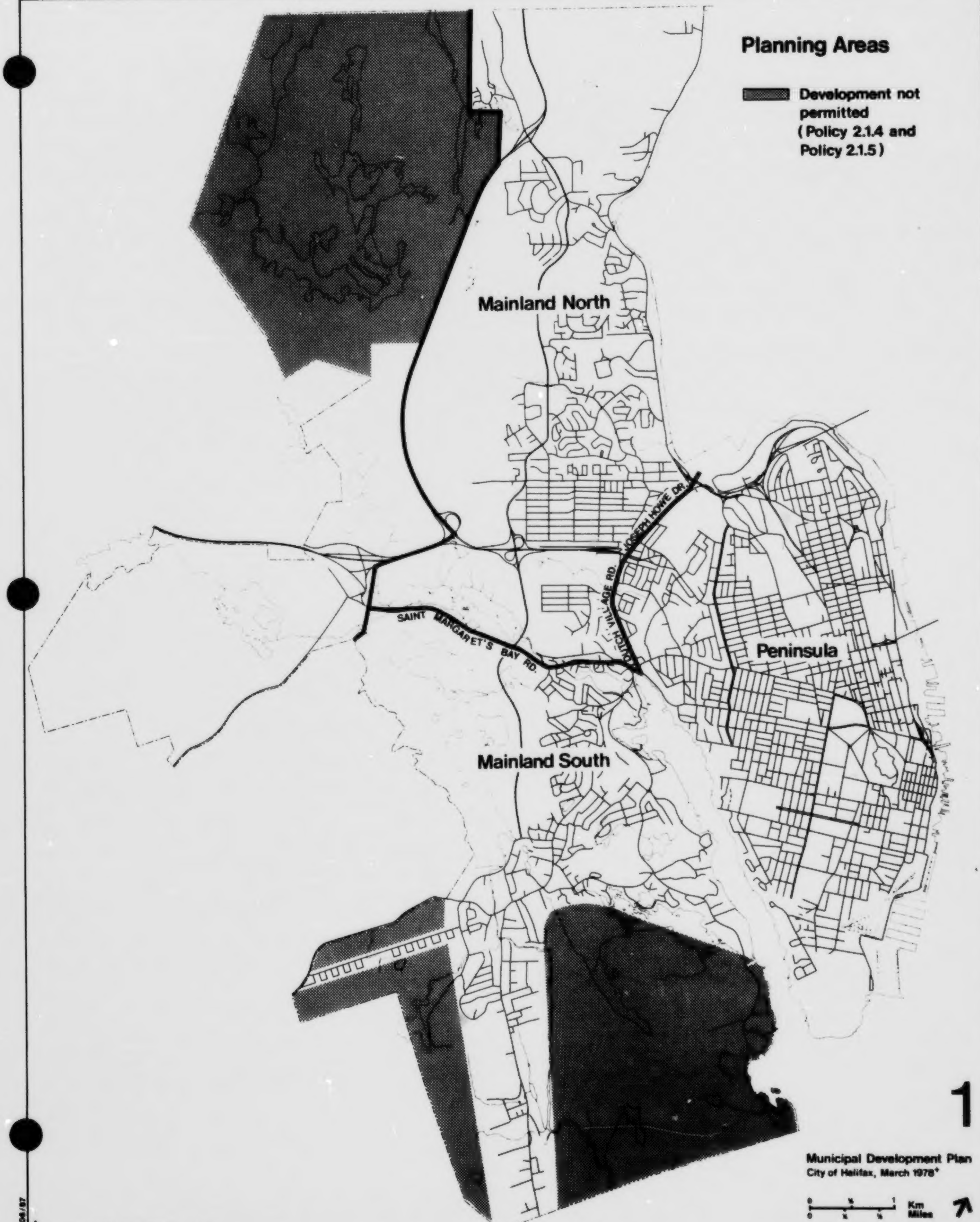
2.3.2 Ribbon development along principal streets should be prohibited in order to minimize access points required by local traffic.

2.4 Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.

2.4.1 Stability will be maintained by preserving the scale of the neighbourhood, routing future principal streets around rather than through them, and allowing commercial expansion within definite confines which will not conflict with the character or stability of the neighbourhood, and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.

Planning Areas

▨ Development not permitted (Policy 2.1.4 and Policy 2.1.5)


Mainland North
Peninsula
Mainland South
SAINT MARGARET'S BAY RD.
DUTCH VILLAGE RD.
JOSEPH HOWE DR.
0 ½ 1 Km
0 ¼ ½ Miles

1

Municipal Development Plan
City of Halifax, March 1978+

KLW 04/87

+ Correct as of 26 October, 1989.

2.4.2 The City shall use the definition of "hard areas," as described in the official City of Halifax report entitled Areas for Detailed Planning, July, 1977, to aid in the definition of stable neighbourhoods for land use control purposes. Map 2 indicates those areas which have been defined as "hard".

2.5 The City shall prepare detailed area plans for predominantly unstable neighbourhoods or areas. The priorities and procedures by which the City shall prepare these plans shall conform to the official City report entitled Areas for Detailed Planning and subsequent amendments which may be made by the City thereto as set forth in Part III, Section I of this document.

2.5.1 The City views the neighbourhood as the foundation for detailed area planning. In the process of detailed area planning, residents shall be encouraged to determine what they consider to be their neighbourhoods, and to work with City Council and staff in arriving at an acceptable definition of their neighbourhood and a neighbourhood plan.

2.5.2 For the areas identified below and on Map 3, the City should prepare detailed area plans, adopt them and submit them to the Minister as amendments to this Plan.

4. Peninsula North including Gottingen Street Commercial Area.

9. Simpson's/Eaton's Shopping Area

2.5.3 Detailed area plans may deviate from the boundaries shown on Map 3 when justified to accommodate a neighbourhood's characteristics or at the request of the residents of the area.

2.5.4 The City shall resolve the "soft area" classification of those areas identified in the official City report entitled Areas for Detailed Planning, July, 1977 and indicated on Map 4 and Schedule II.1 through a program of rezonings to classifications most closely conforming to their existing use except when there is adequate justification, after investigation, for leaving their zone classification different from their present use.

2.5.5 For those areas identified in Policy 2.5.2 above, which are not predominantly residential in use, the City shall use the appropriate policy guidance in this Plan.

2.5.6 The City shall develop detailed policies which reflect its position with regard to the future disposition of the Watershed lands. These policies shall define the City's position with respect to: (a) ownership; (b) public and private land uses; (c) land use distribution; (d) environmental standards which will guide land use distribution; and (e) types(s) and location(s) of access at the boundaries and internally. The City shall place primary importance on public control of these lands and on the provision of extensive public parklands, particularly around all lakes and water courses in the Watershed area.

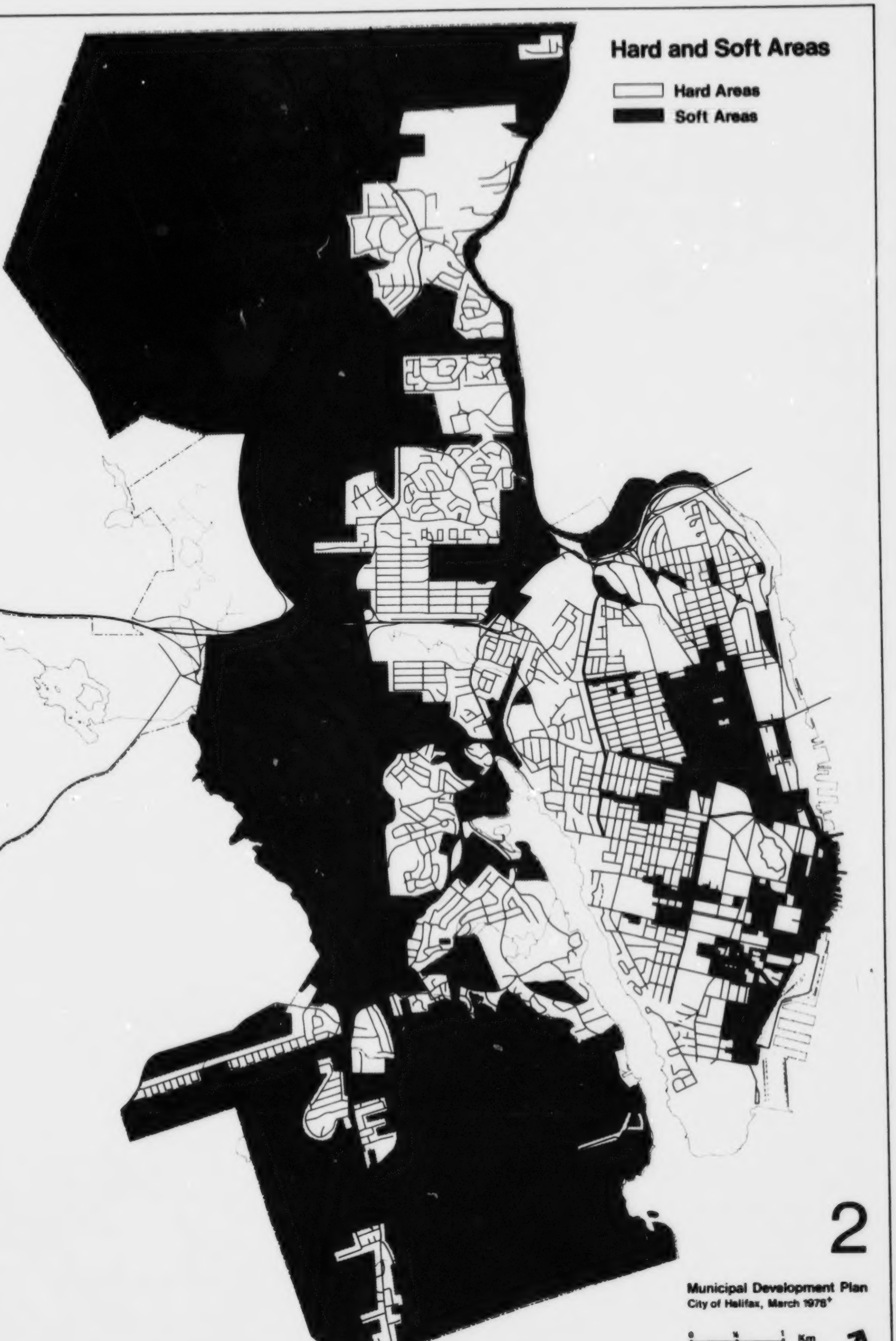
2.5.7 The City shall develop appropriate policies and seek any legislation that may be necessary to affirm its proprietary right to air spaces over City-owned buildings, land and open spaces.

2.6 The development of vacant land, or of land no longer used for industrial or institutional purposes within existing residential neighbourhoods shall be at a scale and for uses compatible with these neighbourhoods, in accordance with this Plan and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.

2.7 The City should permit the redevelopment of portions of existing neighbourhoods only at a scale compatible with those neighbourhoods. The City should attempt to preclude massive redevelopment of neighbourhood housing stock and dislocations of residents by encouraging infill housing and rehabilitation. The City should prevent large and socially unjustifiable neighbourhood dislocations and should ensure change processes that are manageable and acceptable to the residents. The intent of this policy, including the manageability and acceptability of change processes, shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.

2.8 The City shall foster the provision of housing for people with different income levels in all

Hard and Soft Areas



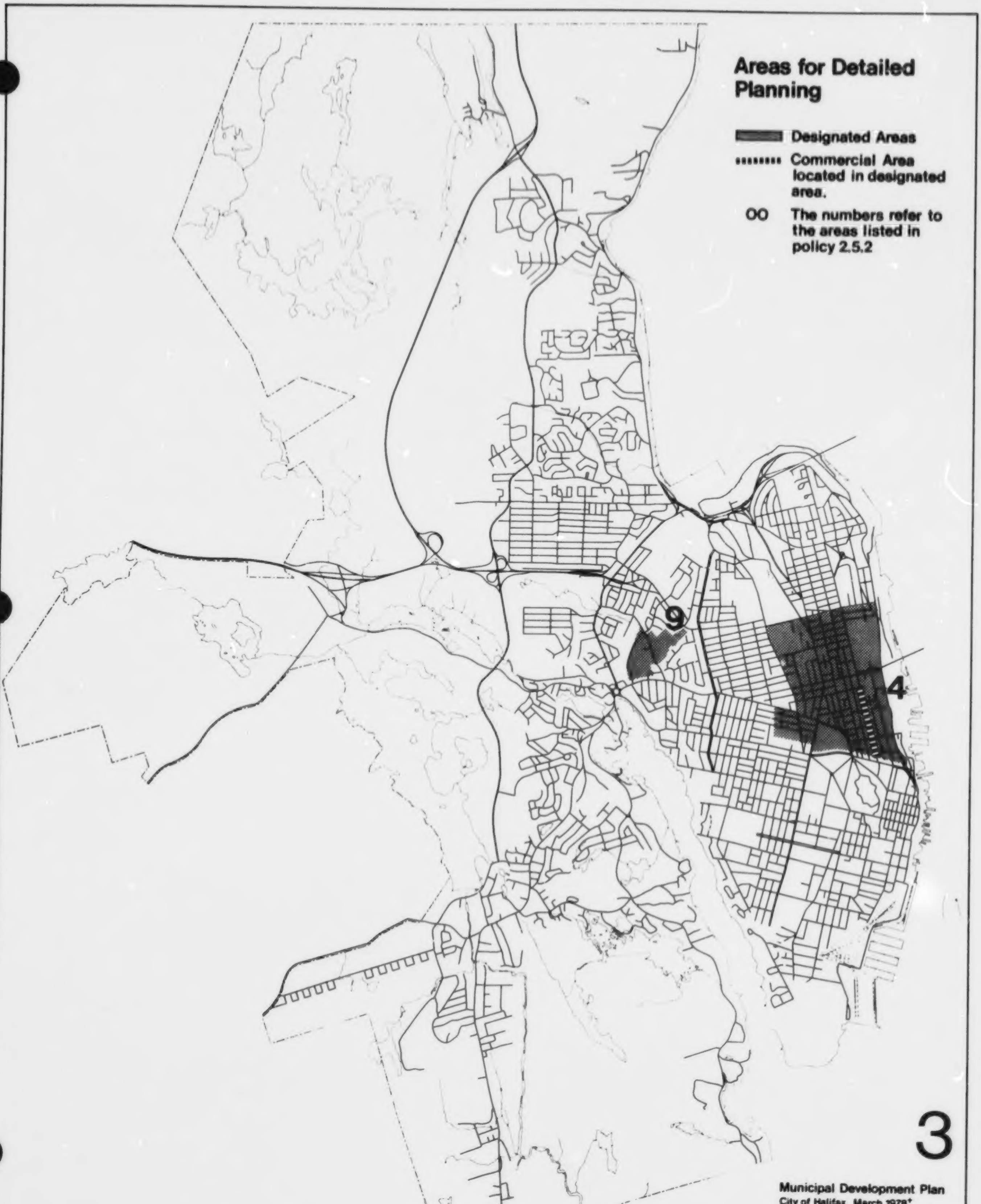
▭ Hard Areas
■ Soft Areas
0 ½ 1 Km
0 ¼ ½ Miles

2

Municipal Development Plan
City of Halifax, March 1978+

+ Correct as of 26 October, 1989.

Areas for Detailed Planning

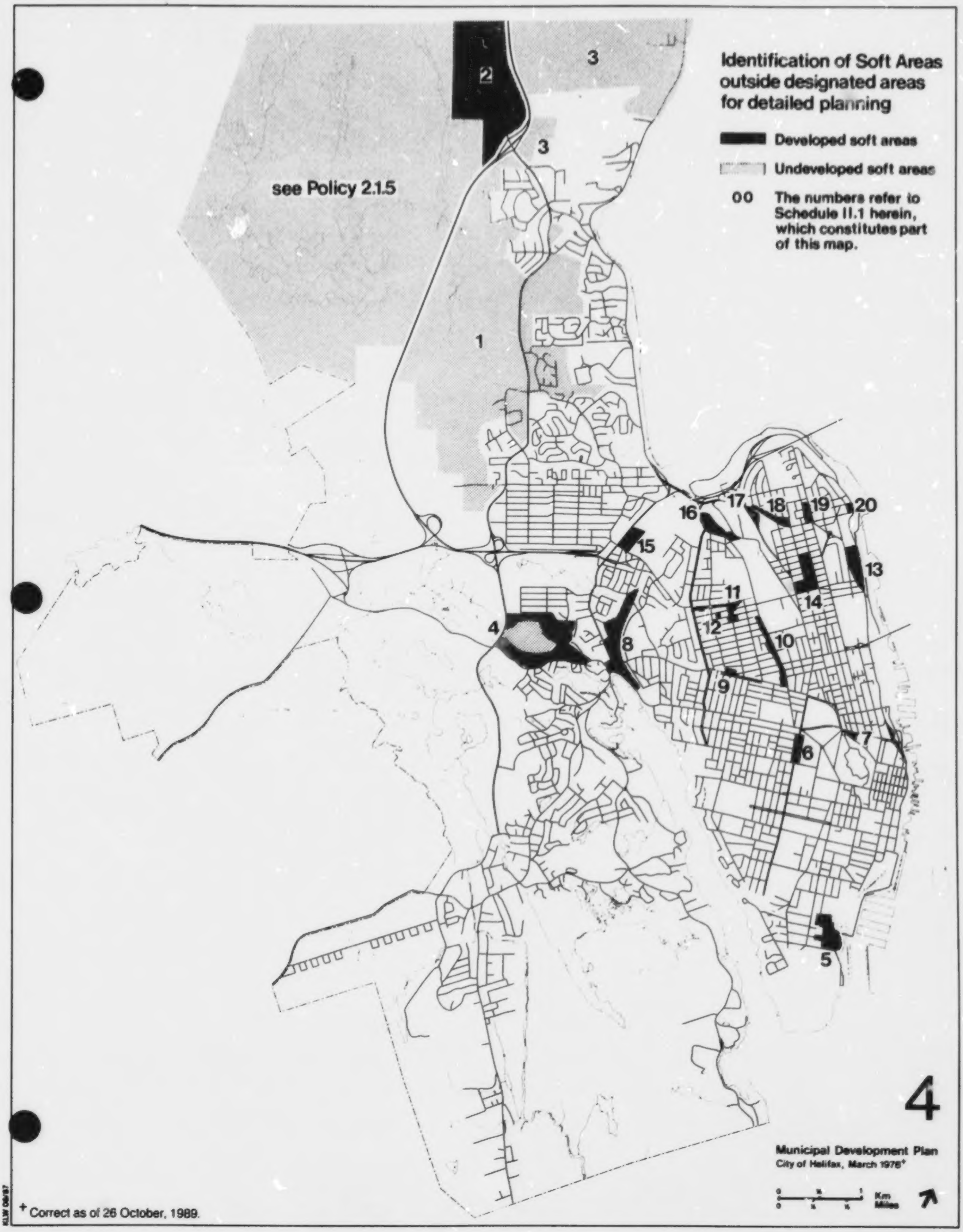

▨ Designated Areas
•••••••• Commercial Area located in designated area.
OO The numbers refer to the areas listed in policy 2.5.2
9
4

3

Municipal Development Plan
City of Halifax, March 1978+

0 ½ 1 Km
0 ¼ ½ Miles

+ Correct as of 26.October, 1989.


see Policy 2.1.5
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19
20
0 ½ 1 Km
0 ¼ ½ Miles
KLW 08/87

Identification of Soft Areas outside designated areas for detailed planning

▬ Developed soft areas

░ Undeveloped soft areas

00 The numbers refer to Schedule II.1 herein, which constitutes part of this map.

4

Municipal Development Plan
City of Halifax, March 1978+

+ Correct as of 26 October, 1989.

neighbourhoods, in ways which are compatible with these neighbourhoods. In so doing, the City will pay particular attention to those groups which have special needs (for example, those groups which require subsidized housing, senior citizens, and the handicapped).

2.9 The City shall actively seek to influence the policies and programs of other levels of government in order to implement the City's housing policies and priorities, and shall also actively seek taxation preference as one method of encouraging rehabilitation of existing housing stock.

SCHEDULE II.1

SOFT AREAS OUTSIDE AREAS DESIGNATED FOR DETAILED PLANNING

1. Geizer Hill area bounded by Bicentennial Highway and western boundaries of existing development of Fairview, Clayton Park, Bridgeview, Sherwood Park, Wedgewood Park, and Mount St. Vincent University.

2. Kearney Lake area bounded by Bicentennial Highway and City limits

3. Hemlock Ravine margins bounded by City lands of Hemlock Ravine, Bedford Highway, City limits, Bicentennial Highway and Grosvenor-Wentworth developed area.

4. Area bounded by Dunbrack Street, St. Margaret's Bay Road, Crown Drive, thence following a line from Crown Drive to the S.E. corner of Springvale subdivision and following the southern boundary of Springvale subdivision itself.

5. Area bounded by Container Port and existing residential development adjacent to Young Avenue and Ogilvie Street.

6. Area lying on west side of Robie Street between the boundaries of Peninsula Centre and Peninsula North designated areas for detailed planning.

7. Area bounded by Cogswell Street, Rainnie Drive and Centennial Pool site.

8. Area bounded by Simpson's and Eaton's shopping areas for detailed planning, Quinpool Road, Dutch Village Road and Olivet Street.

9. Area fronting Chebucto Road between Poplar and Elm Streets and Peninsula North area for detailed planning.

10. Area bounded by west side of Windsor Street, London Street, and Chebucto Road.

11. Area fronting south side of Bayers Road and both sides of Oxford Street between Connaught Avenue and Liverpool Street.

continued......

SCHEDULE II.1
(Continued)

12. Area within the curtilege of Civic Number 6450 Young Street (presently occupied by Hoyt's Moving and Storage Limited).

13. Area bounded by Richmond and Barrington Streets, and Devonshire Avenue.

14. Area bounded by Young Street, Isleville Street, Columbus Street, Agricola Street, Kane Street and Robie Street.

15. Area bounded by Bayers Road, Howe Avenue, Scot Street and Desmond Avenue.

16. Area bounded by northeast side of Windsor Street, between Strawberry Hill and Hood Street.

17. Triangular area bounded by Lady Hammond Road, Robie Street connector and existing developed properties.

18. Area fronting Lady Hammond Road between Memorial Drive and Duffus Street.

19. Northwest corner of Duffus Street and Gottingen Street.

20. Area bounded by west side of Lynch Street between Duffus Street and Rector Street.

3. COMMERCIAL FACILITIES

Objective The provision of commercial facilities appropriately located in relation to the City, or to the region as a whole, and to communities and neighbourhoods within the City.

3.1 The City shall encourage a variety of commercial centres to serve the variety of community needs and shall seek to do so under Implementation Policy 3.7. Provision shall be made for neighbourhood shopping facilities, minor commercial centres, shopping centres and regional centres.

3.1.1 Neighbourhood shopping facilities in residential environments should service primarily local and walk-in trade, and should be primarily owner-occupied. They shall be required to locate at or adjacent to the intersections of local streets rather than in mid-block. Neighbourhood shopping facilities may include one business, for example a corner store or a cluster of businesses. This policy shall serve as a guideline for rezoning decisions in accordance with Implementation Policies 4.1 and 4.2 as appropriate.

3.1.2 Minor commercial centres should service several neighbourhoods. They should locate along principal streets with adequate provision for pedestrian, transit, service and private automobile access. Parking provision should be allowed on surface lots servicing single businesses, as long as conditions preclude nuisance impact on adjacent residential areas. Access to any parking area from the principal street should be controlled. The City should define the geographic limits of minor commercial centres, and shall encourage contiguity of commercial or associated uses within those limits. Minor commercial centres should offer a wider range of services than neighbourhood shopping facilities including local office, restaurants, cinemas, health centres and multi-service centres. This policy shall serve as a guideline in rezoning decisions in accordance with Implementation Policies 3.1 and 3.2 as appropriate.

3.1.3 Major commercial centres should service a market area comprising most or all of the City. These centres may include major offices and hotels, in addition to uses suggested for minor commercial centres. The City should encourage parking facilities in these centres to serve several businesses in order to limit nuisance impact. The City's policy for major commercial centres in all other respects should be identical to Policy 3.1.2.

3.1.4 Shopping centres should service a major area of the City, and/or part of the region. They shall have direct controlled access to the principal street network and shall have adequate provision for pedestrian, transit, service, and private automobile access and egress. The dominant activity in shopping centres shall be retail activity. Major offices and hotels should be discouraged from locating in these centres.

3.2 The Halifax Central Business District shall be regarded as the principal business centre in the Halifax-Dartmouth region, and shall include office, shopping, finance, government, residential, recreation, and entertainment facilities as well as desirable types of harbour-related businesses and industries.

3.2.1 Major office projects, hotels, cultural facilities and government office activities, which would strengthen and enhance Halifax as the dominant centre of Atlantic Canada, should be induced to locate in the Central Business District. This policy shall remain in effect until City Council determines that the Central Business District is self-sustaining.

3.2.2 Section III of this Plan details Policy 3.2 and shall constitute the basis for decision-making by the City in the Halifax Central Business District.

3.2.3 Section IV of this Plan shall constitute the basis for decision-making by the City of Halifax Waterfront Development Area. For clarity, Section IV may be interpreted by reference to Section III where appropriate.

3.3 Repealed.

3.4 The City shall encourage the provision of public facilities (for example, street furniture, sign information, lockable bicycle racks, and public washrooms) by developers and owners in minor and major commercial centres. The City should set guidelines to improve and upgrade older areas.

3.5 All commercial areas not within areas designated for detailed planning and not considered neighbourhood commercial centres pursuant to Policy 3.1.1 shall be resolved as to type at the time of adoption of a new land use bylaw pursuant to Implementation Policy 3.7.

3.6 The City should adopt regulations to discourage the establishment of those commercial uses in commercial areas which contribute to the deterioration of commercial areas through decline in property values and disinvestment in the properties in these areas, and this shall be accomplished by Implementation Policies 4.7, 4.7.1 and 4.7.2.

3.7 In considering applications pursuant to Implementation Policy 3.10, Council shall have regard for the guidelines set out below:

(i) that entrances and exits be arranged in such a way so as to minimize the impact of additional traffic on any adjacent residential areas;

(ii) that the proposed use does not entail an unacceptable nuisance such as traffic, smoke, toxic, or noxious effluents and noise;

(iii) that storage areas be enclosed or be visually screened from the abutting street by such means as planting materials or well-designed fences;

(iv) that service areas for trucks and other vehicles be located in areas other than the front yards;

(v) that front yards of an appropriate size be provided, well landscaped and including provisions for tree planting;

(vi) that drainage from large paved areas be required to be treated in cases where such drainage will result in unacceptable pollution of watercourses or water bodies;

(vii) that appropriate measures be taken to prevent erosion or deposit of sediments away from the development site during construction and afterwards;

(viii) that the building envelope be located in such a manner as to provide a sufficient area for landscaped open space in both front and side yards;

(ix) that areas of significant natural, aesthetic and amenity value be protected as part of the site design in accordance with Policy Sets 7 and 8 of this Plan as appropriate;

(x) that there be an appropriate setback or other separation of any building from abutting residential properties and that a portion of such setback be landscaped; and

(xi) that the applicant provide a statement of the environmental impacts of the proposed development on and off the site and identify the ways and means to mitigate any negative effects, particularly as they relate to such aforementioned matters as air and water pollution, erosion and sediment control, and protection of significant natural, aesthetic, and amenity value;

(xii) such other land use considerations as Council may from time to time deem necessary, based on guidance provided by the policies of this Plan.

3.8 The City should adopt regulations to control the location of amusement centres through restricting the use to major commercial areas, shopping centres, and the Central Business District, and this shall be accomplished by Implementation Policies 3.13, 3.13.1 and 3.13.2.

4. INDUSTRIES

Objective The enhancement of employment opportunities by encouraging existing and potential industrial uses in appropriate locations.

4.1 On the Peninsula, along the harbour's edge, only those industries which are harbour-related should be encouraged and allowed to grow. Areas for such development to occur shall be designated on the basis of existing uses, possible alternative uses and compatibility with residential areas, the Central Business District, major community facilities, and the transportation network as shown on Map 9.

4.1.1 On the Peninsula, along the waters edge, only those industries which are harbour-related should be encouraged and allowed to grow. On the waterfront, lands designated industrial that are not immediately adjacent to the waters edge should be developed for industrial purposes in response to the demands of the market and needs of the City.

4.2 Industrial development which is not harbour-related shall be located in specified industrial areas with defined boundaries generally as shown on Map 9. These industrial areas should be separated and buffered from residential areas and shall be located on or adjacent to the principal street network.

4.2.1 The City should encourage the maximum use by industry and supporting uses of lands designated for industrial development and should, where possible, discourage the development of conflicting land uses on these lands in recognition of the limited supply of this type of land within the City and the impediment to efficient industrial operation that may be created by competing activities.

4.3 The City should foster industrial activities compatible with the residential areas of the City.

4.3.1 A mixture of commercial, industrial and related enterprises shall be encouraged in the Bayers Lake and Ragged Lake areas. The development standards identified in Policy 4.4 shall ensure appropriate economic development of the lands, accommodating a broad range of industrial, commercial and related uses, and complementing the physical and environmental characteristics of the land.

4.4 Further to Policy 4.3.1, the Land Use Bylaw shall require that:

(a) sufficient and properly surfaced parking for employees and customers is provided;

(b) all open space areas including yards and setbacks are landscaped;

(c) loading and unloading areas are controlled in terms of location and screening in respect to their adjacency to collector roadways;

(d) the number and size of large signs advertising the business on the lot as well as signage for individual businesses are limited;

(e) billboards are prohibited; and

(f) lakes, streams, and other waterbodies are protected by requiring a minimum setback of any development.

4.5 The City shall encourage industrial development in those areas, designated generally on Map 9, within the context of Policies 4.1 to 4.4. In those areas which have been designated for detailed area planning, the City shall resolve the exact nature of the desired land use pattern through the detailed area planning process.

4.6 In considering applications pursuant to Implementation Policy 3.10 Council shall have regard for the guidelines set out below:

(i) that uses permitted be restricted to industrial or commercial uses;

(ii) that entrances and exits be arranged in such a way so as to minimize the impact of additional traffic on any adjacent residential area;

(iii) that the proposed use does not entail unacceptable nuisances, such as traffic, smoke, toxic or noxious effluents, and noise;

(iv) that storage areas be enclosed or be visually screened from the abutting street by such means as planting materials or well-designed fences;

(v) that service areas for trucks and other vehicles be located in areas other than the front yards;

(vi) that front yards of an appropriate size be provided, well landscaped and including provision for tree planting;

(vii) that drainage from large paved areas be required to be treated in cases where such drainage will result in unacceptable pollution of watercourses or water bodies;

(viii) that appropriate measures be taken to prevent erosion or deposit of sediments away from the development site during construction and afterwards;

(ix) that the building envelope be located in such a manner as to provide a sufficient area for landscaped open space in both front and side yards;

(x) that areas of significant natural, aesthetic and amenity value be protected as part of the site design in accordance with Policy Sets 7 and 8 of this Plan as appropriate;

(xi) that there be an appropriate setback of any building from abutting residential properties and that a portion of such setback be landscaped; and

(xii) that the applicant provide a statement of the environmental impacts of the proposed development on and off the site and identify the ways and means to mitigate any negative effects, particularly as they relate to such aforementioned matters as air and water pollution, erosion and sediment control, and protection of significant natural, aesthetic, and amenity value;

(xiii) such other land use considerations as Council may from time to time deem necessary, based on guidance provided by the policies of this Plan.

5. INSTITUTIONS

Objective The enhancement of employment opportunities by encouraging existing and potential institutional uses in appropriate locations.

5.1 Unless clearly inappropriate for the good development of the City, existing regional and City-wide institutional facilities shall be encouraged to remain in their present locations and efforts shall be made to protect, maintain and upgrade them.

5.2 The City shall encourage institutional development of a major nature in those areas designated generally on Map 9. The City shall develop standards and boundaries which will protect neighbouring areas, especially residential areas, from encroachment and nuisance effects.

5.3 The City shall encourage institutional development of a major nature in those areas designated generally on Map 9. Pursuant to Policy 5.2, where such areas fall within the bounds of a designated area for detailed planning, the City shall resolve the exact nature of the desired land use pattern through the detailed area planning process.

6. HERITAGE RESOURCES

Definitions

"Heritage Property" means an area, site, structure or streetscape of historic, architectural or cultural value registered in the Halifax Registry of Heritage Property.

"Heritage Conservation Area" means an area of concentration of properties unified by similar use, architectural style or historical development, which retains the atmosphere of a past era and which is registered in the Halifax Registry of Heritage Property.

Objective The preservation and enhancement of areas, sites, structures, streetscapes and conditions in Halifax which reflect the City's past historically and/or architecturally.

6.1 The City shall continue to seek the retention, preservation, rehabilitation and/or restoration of those areas, sites, streetscapes, structures, and/or conditions such as views which impart to Halifax a sense of its heritage, particularly those which are relevant to important occasions, eras, or personages in the histories of the City, the Province, or the nation, or which are deemed to be architecturally significant. Where appropriate, in order to assure the continuing viability of such areas, sites, streetscapes, structures, and/or conditions, the City shall encourage suitable re-uses.

6.1.1 The criteria by which the City shall continue to identify such areas, sites, structures, streetscapes and/or conditions identified in Policy 6.1 are set out in the official City of Halifax report entitled An Evaluation and Protection System for Heritage Resources in Halifax (City Council, 1978).

6.1.2 The City should designate those properties which meet the adopted criteria as registered heritage properties or registered heritage conservation areas and protect them within the terms of the Heritage Property Act.

6.2 The City shall continue to make every effort to preserve or restore those conditions resulting from the physical and economic development pattern of Halifax which impart to Halifax a sense of its history, such as views from Citadel Hill, public access to the Halifax waterfront, and the street pattern of the Halifax Central Business District.

6.3 The City shall maintain or recreate a sensitive and complimentary setting for Citadel Hill by controlling the height of new development in its vicinity to reflect the historic and traditional scale of development.

6.3.1 The intent of such height controls shall be to establish a generally low to medium rise character of development in the area of approximately four traditional storeys in height immediately adjacent to Citadel Hill and increasing with distance therefrom.

6.3.2 Within the area bounded by North Street, Robie Street and Inglis Street, no development shall be permitted that is visible over the top of the reconstructed earthworks on the Citadel ramparts, from an eye-level of 5.5 feet above ground level in the Parade Square of the Citadel.

6.3.3 Policy 6.3.2 above shall not be deemed to waive any other height or angle controls.

6.4 The City shall attempt to maintain the integrity of those areas, sites, streetscapes, structures, and/or conditions which are retained through encouragement of sensitive and complementary architecture in their immediate environs.

6.4.1 The City shall regulate the demolition and exterior alterations under the provisions of the Heritage Property Act, and should secure inducements for retention, maintenance and enhancement of registered heritage properties.

6.4.2 The City shall study the use of preservation easements and restrictive covenants to determine the extent to which they can be used in the preservation of registered heritage properties.

6.4.3 The City shall consider acquisition of registered heritage properties whenever acquisition is the most appropriate means to ensure their preservation.

6.4.4 The City shall organize and maintain a data bank on heritage conservation methods including data on costs, sources of funding, techniques, methods, and materials used on successful recycling or restoration projects, both for its own use and to encourage private sector involvement in heritage conservation.

6.5 The City shall budget an annual amount to ensure that a fund is available should purchase or other financial involvement be considered by the City for a registered heritage property. The specific terms of this budget are set forth in Policy 11.3.2 of this section of this Plan.

6.6 In the purchase or lease of space for its own use, the City shall first consider accommodation in designated heritage structures.

6.7 The City shall investigate the possibility of establishing Heritage Conservation Zones to protect registered heritage conservation areas and registered heritage streetscapes under the provisions of the Planning Act. The results of such investigation should be incorporated as amendments to this Plan and to the Land Use Bylaw.

6.8 In any building, part of a building, or on any lot on which a registered heritage building is situated, the owner may apply to the City for a development agreement for any development or change in use not otherwise permitted by the land use designation and zone subject to the following considerations:

(i) that any registered heritage building covered by the agreement shall not be altered in any way to diminish its heritage value;

(ii) that any development must maintain the integrity of any registered heritage property, streetscape or conservation area of which it is part;

(iii) that any adjacent uses, particularly residential use are not unduly disrupted as a result of traffic generation, noise, hours of operation, parking requirements and such other land use impacts as may be required as part of a development;

(iv) that any development substantially complies with the policies of this plan and in particular the objectives and policies as they relate to heritage resources.

7. COMMUNITY FACILITIES

Objective The provision and improvement of recreation and community lands, facilities, and services for all ages that are deemed appropriate to the creation, maintenance, and preservation of healthy neighbourhoods and to the City.

7.1 Unless clearly inappropriate to the good development of the City, existing regional and City-wide recreation and community facilities shall be encouraged to remain in their present locations and efforts shall be made to protect, maintain, and upgrade these facilities.

7.2 Future regional and City-wide recreation and community facilities shall be encouraged to locate in appropriate locations throughout the City. The appropriateness of such locations shall be determined on the basis of any one or combination of the following: (a) use and function of the proposed facility; (b) adequacy of transportation; and (c) uniqueness of the site, or its historic significance. The City should not normally prezone areas of land for such uses.

7.2.1 The City should continue to identify and to promote regional and City-wide recreation and community facilities which have a particular attraction for the visitors to the City.

7.2.2 The City should encourage public uses which are industrial or service commercial in character to locate within areas designated "Industrial." For those public uses which need to be located in other than these designations in order to effectively and efficiently carry out their community support function to part or all of the City or Region, the City may consider developments in alternative locations through the contract development provisions of the Planning Act, or by rezoning.

7.2.2.1 Pursuant to Policy 7.2 and 7.2.2, Council may consider the development of public uses which are industrial or service commercial in nature such as, but not limited to utility stations for water, electricity and telephone, fire and police stations, and centres for the upkeep and maintenance of City infrastructure. In considering such developments, Council shall have regard for:

(i) the compatibility of the development in respect to adjacent and neighbouring uses;

(ii) where possible and appropriate, an overall architectural and landscape design which reflects adjacent and neighbouring uses;

(iii) the appropriateness of the site in respect to performing the particular community support function; and

(iv) the provisions of Industrial Policy 4.6, Part II, Section II, clauses (ii) to (xi) inclusive.

7.3 The City shall seek out and exercise appropriate control over areas of land which have the potential to provide outdoor recreation opportunities. Selection of these areas shall include, among others, the following criteria: (a) their natural or heritage significance; (b) their scenic quality; and (c) accessibility.

7.3.1 The City shall attempt to provide natural or urban linkages between these areas.

7.3.2 The City shall continue to seek the preservation of Hemlock Ravine. The City believes that public ownership is the key to preservation of Hemlock Ravine, and will proceed on this basis. The City shall seek the proper means to assure that the public may enjoy these unique resources in ways which minimize opportunities for environmental damage.

7.4 The City shall seek out and ensure public access to all water bodies and open water courses within its boundaries. Locations shall be selected for: (a) their ability to provide opportunities for active or passive recreation; (b) their natural or heritage significance; and (c) their scenic qualities.

7.4.1 The City should ensure public access to the waterfront within the Central Business District (see Section IV).

7.4.2 The City shall seek to increase the available points of physical and visual access to the shores of the Northwest Arm. The City, in carrying out this Policy, will give special emphasis to: (a) extending the Northwest Arm pathway from Horseshoe Island to Purcell's Cove; (b preservation of areas or conditions of unique natural, scenic, or heritage significance associated with the Northwest Arm; (c) provision of public water-based recreation opportunities; and (d) provision, to the extent possible, of a pollution-free environment.

7.4.3 The City shall examine the possibilities for better use of the shores of the Bedford Basin and, in doing so, shall concentrate upon the options for increased public access to the Basin itself.

7.4.4 The City shall seek the preservation of the MacIntosh Run as an open water course whose channel, floodplain and banks are accessible for appropriate public recreation purposes. In order to promote a safe environment, the Run should be bridged at appropriate locations for crossing by pedestrians and bicycles. The City shall detail these actions as part of the detailed area planning process for Mainland South.

7.4.5 The City shall seek the protection of the waters of the MacIntosh Run from pollution due to infilling and/or waste disposal.

7.5 For neighbourhood and community parks, the City shall follow guidelines as to size, quality, service areas, location, access and population served as established in the Recreation Strategy in Part III of this document. Design of individual parks shall attend to the characteristics of the population intended to be served.

7.5.1 For neighbourhood and community parks in presently developed areas, the City shall, in accordance with the Recreation Strategy in Part III of this document, upgrade present facilities or add new facilities and lands which will bring those areas closer to any guidelines established by City Council. In areas where lands of sufficient size are not available, the City should consider providing vest-pocket parks (of a permanent or temporary nature) to supplement existing recreation space.

7.6 The City shall encourage the provision of recreation and community facilities in the vicinity of commercial centres and in City schools (and/or on school grounds), based on their appropriateness and location. The City shall avoid the duplication of facilities for any one area. In all cases, prior to encouraging recreation and community facilities to locate in City schools, or on school grounds, the City shall first identify the appropriateness of such locations based upon: (a) the necessity of avoiding disruption of the main function of schools; (b) the effect upon possible funding structures; (c) the effect upon possible operating budget structures; (d) the age level and needs of the students; and (e) an assessment of community need.

7.6.1 The City should periodically review the liaison procedures it has established with the Halifax Board of School Commissioners and with other boards and commissions in order to continue to carry out the policy effectively.

7.7 The City shall encourage, wherever appropriate, the multiple use of existing and proposed lands and facilities in order to promote their most efficient use.

7.8 The City shall develop standards for accepting open space lands whenever legally possible in the processes of subdivision, resubdivision, lot consolidation, rezoning, or development agreements. These standards shall be developed on the basis of criteria including the following: (a) size and shape; (b) quality of land in terms of slope, soil characteristics, drainage and site finishing; (c) suitability of location within the development itself; and (d) accessibility. The City shall assure the legislative force necessary to implement these standards once developed.

7.9 In consideration of applications for subdivision, resubdivision, lot consolidation, rezoning, or development agreements, it shall be the policy of the City to examine the availability of adequate recreational open spaces, and to grant approval to such applications only where the legally enforceable standards of the City can be reasonably met.

7.9.1 Future standards should address when applicants may be required to make a payment in lieu of land in accordance with the estimated recreation demands created by the particular development.

7.10 Except when the interests of the City would clearly be better served, the City shall not release park lands or public open spaces for uses other than recreational in nature, unless such parks have been designated by the City as temporary, or unless alternative recreational space within the neighbourhood has been provided.

7.11 The City shall investigate alternative sources and methods of funding the acquisition or development of recreation lands and facilities.

7.12 The City shall attempt to negotiate the use of recreation facilities owned by other public and quasi-public organizations, and, whenever possible, shall pursue the joint provision of recreation lands and facilities in order to avoid unnecessary duplication of resources.

7.13 The development of recreation facilities shall be scheduled through the capital budget process.

8. ENVIRONMENT

Objective	The preservation and enhancement, where possible, of the natural and man-made environment, and especially of those social and cultural qualities of particular concern to the citizens of Halifax.

8.1 The City shall prepare a strategy statement on the environment as called for in Part III of this document, and shall, as part of such statement, make provision for the detailing and implementation of Policies 8.2 - 8.5 below. The City shall address the remainder of the environment policies in preparing the strategy statement. The City, upon adoption of the Environment Strategy Statement, shall amend this Plan and accompanying development regulations as appropriate.

8.2 In reviewing public and private land use proposals, including its own capital program, the City will take into account the social, physical, economic and aesthetic effects on the natural and man-made environment, and will establish and maintain appropriate procedures to take such effects into consideration in the approval process for such land uses.

8.3 The City shall develop the means to assure the greatest possible degree of compatibility between new developments and desirable aspects or characteristics of the surrounding man-made and natural environment through regulatory procedures or special permit procedures, such as contract zoning, conditional zoning, etc. Preference should be given to development which is aesthetically pleasing, human in scale, and in harmony with the natural and man-made environment. A requirement for an environmental impact statement should be implemented subsequent to completion and adoption of the Environment Strategy Statement as called for in Part III of this document.

8.4 The City shall identify areas of natural significance and natural areas which are environmentally sensitive. The City will protect these areas from environmental degradation insofar as possible, through such means as zoning, development standards, and public education.

8.5 The City shall establish standards, insofar as it has the power, for maintaining lake systems and their watersheds in a healthy state. These standards should address the infilling of lakes or their tributaries, the preservation of natural resources which are visually or ecologically complementary to those lakes and their tributaries, the control of discharges into lakes or tributaries resulting from public or private developments which would cause long-term degradation of the water quality, and the prevention of any other environmentally damaging effects.

8.6 The City should make every effort to ensure that developments do not create adverse wind and shadow effects. The means by which this policy shall be implemented shall be considered as part of the study called for in Part III.

8.7 The City shall attempt to ensure that air, water, soils, and noise pollution are minimized and do not damage the quality of life in the City.

8.8 The City should protect vistas and views of significant interest.

8.9 The City shall maintain the planting and protection of shade trees within its control, and should develop a tree planting program which will improve the quality of the urban environment.

8.10 The City should protect existing green areas and attempt to create new green areas. Every effort should be made to protect existing boulevards, tree-lined streets, and small parks.

8.11 The City should encourage educational programs to further an understanding and appreciation of the environment.

9. TRANSPORTATION

Objective The provision of a transportation network with special emphasis on public transportation and pedestrian safety and convenience which minimizes detrimental impacts on residential and business neighbourhoods, and which maximizes accessibility from home to work and to business and community facilities.

9.1 The City shall encourage an efficient transit system linking major employment areas and community facilities with community centres and neighbourhoods.

9.1.1 The City shall investigate the appropriateness of establishing or encouraging park-ride facilities.

9.2 It shall continue to be the City's policy to establish truck routes. Such routes shall minimize impacts on residential neighbourhoods and transit efficiency.

9.2.1 The City shall periodically review its policies with regard to truck routes and their designation to ensure their conformity to this Plan.

9.2.2 The City shall investigate the potential for use of all or part of the railway cut on the Peninsula as a route for trucks and transit vehicles.

9.3 Design standards for all streets within the City shall pay particular attention to the provision of adequate and safe pedestrian routes.

9.3.1 The City shall develop and enforce necessary pedestrian controls to assure safety.

9.4 The transportation system within residential neighbourhoods should favour pedestrian movement and discourage vehicular through traffic in both new and existing neighbourhoods. A pedestrian system that utilizes neighbourhood streets and paths to link the residents with the commercial and school functions serving the area will be encouraged.

9.5 The City should encourage transportation systems which minimize adverse environmental effects, particularly pollution, social disruption, inefficient use of land, and inefficient energy consumption.

9.6 In accordance with the official City report entitled Land Development Distribution Strategy, 1977, the principal street network shall be that network which is shown as "accepted" on Map 8 herein (which conforms generally to the Regional Transportation Plan network, Appendix "D" of the Halifax-Dartmouth Regional Development Plan, April, 1975).

9.6.1 For the "accepted" principal street network, the City shall not permit and shall discourage any proposed changes with respect to location, construction and upgrading except in conformance with the detailed policies below, in addition to the general policies in this Plan.

9.6.2 The City does not accept those street linkages indicated as "not accepted" on Map 8 as principal streets pending further study. That study shall be carried out as part of the Transportation Strategy Statement called for in Part III of this document. The City, upon review and adoption of the Transportation Strategy, shall amend this Plan as appropriate.

9.6.3 In designing, constructing, upgrading or maintaining principal streets, priority shall be given to the needs of public transit, rather than to those of private automobiles.

9.6.4 The City should require all street and highway construction proposals in Halifax to conform to and to demonstrate how they conform to the City's emphasis on transit.

9.6.5 The City shall review all street and highway construction proposals in Halifax for conformity with the City's objectives regarding traffic management (see official City report entitled Land Development Distribution Strategy, 1977).

9.6.6 The City should not enter a contract for any development that would adversely affect the principal street network, unless such development would be clearly desirable because of its positive effects as determined by its conformity with, or furtherance of, the principles established by the policies of this Plan.

9.6.7 The City shall control the number, location, and spacing of access points, and the intensity of frontage development along principal streets by appropriate means to be developed as part of the Transportation Strategy Statement called for in Part III, Section I of this document and shall maintain good sign control to ensure that the functions of the street system are protected where these are not already controlled by the Provincial Department of Highways.

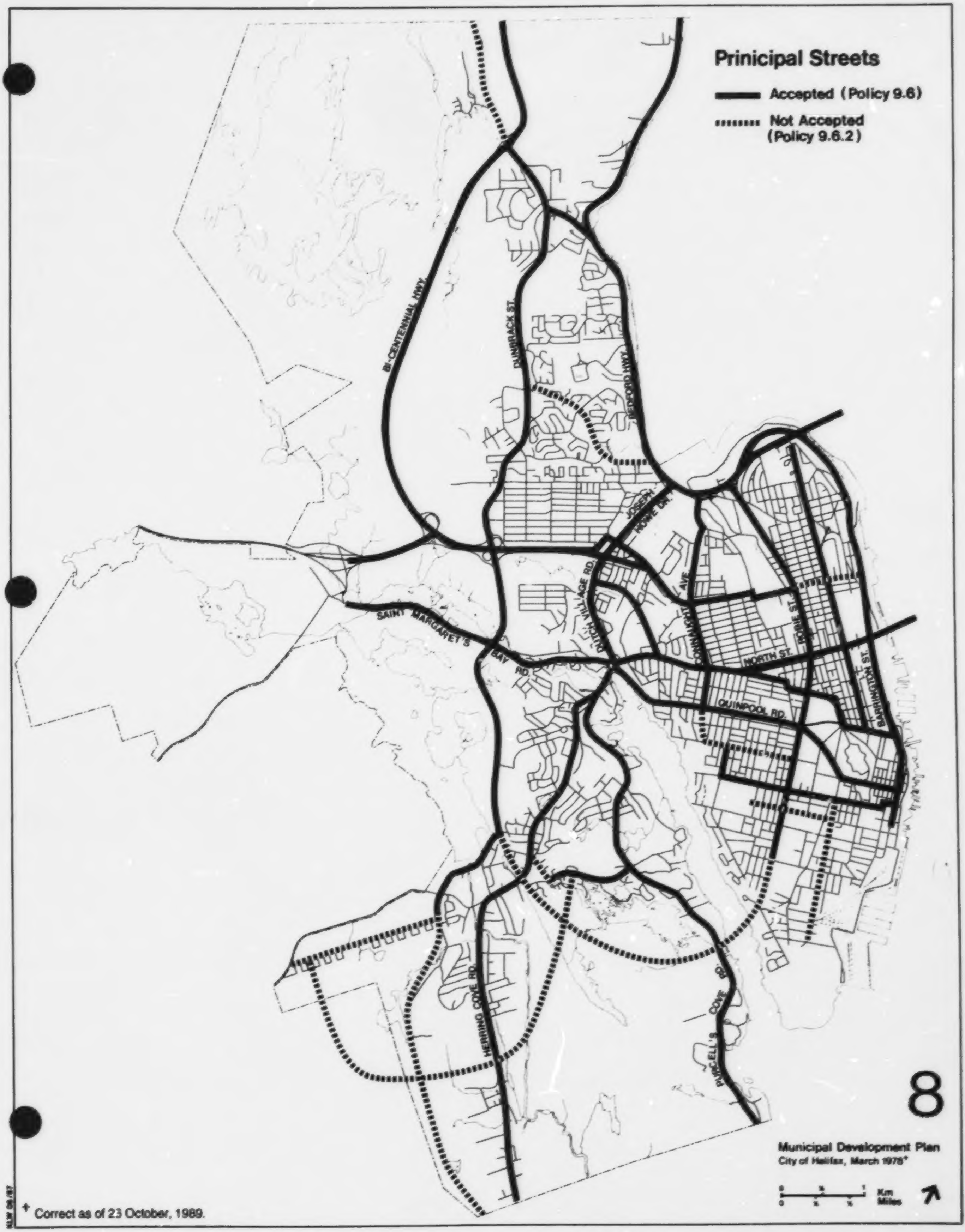
9.6.8 The City shall set appropriate standards as part of the detailed area planning process to regulate strip commercial development. These standards will be directed at solving the problems connected with this type of development; for example, excessive turning movements and access points, fragmented and poorly located parking, difficulties of pedestrian circulation, servicing problems, and nuisance to adjacent uses.

9.6.9 The City shall delay or seek to delay any decision to construct Northwest Arm Drive from the Herring Cove Road to Purcell's Cove Road and any decision to construct a Northwest Arm Bridge until:

(i) the Halifax-Dartmouth Regional Development Plan, including the transportation plan, is re-evaluated;

(ii) detailed area plans have been completed for the Old South End and Peninsula Centre areas;

(iii) thorough impact studies of the Drive and the Bridge on the natural, social and economic environments of Mainland South and the Halifax Peninsula have been made, evaluated, and accepted by the City.


Prinicipal Streets
Accepted (Policy 9.6)
Not Accepted (Policy 9.6.2)
BI-CENTENNIAL HWY.
DUNBRACK ST.
BEDFORD HWY.
JOSEPH HOWE DR.
DUTCH VILLAGE RD.
CONNAUGHT AVE.
ROBIE ST.
NORTH ST.
SAINT MARGARET'S BAY RD.
QUINPOOL RD.
BARRINGTON ST.
HERRING COVE RD.
PURCELL'S COVE RD.
Km
Miles

8

Municipal Development Plan
City of Halifax, March 1978+

+ Correct as of 23 October, 1989.

9.7 The City should develop a program for the systematic development of bicycle, pedestrian, and skiing pathways. The initial focus of the program should be on the connection of City parks and scenic areas by such pathways. The City should attempt to supplement the options available in journey-to-work travel modes by providing bicycle pathways.

9.8 The City should encourage alternative forms of transportation which will augment the effectiveness of a metropolitan transit and transportation network. Alternatives such as air, rail, and water transportation should receive special attention.

10. ENVIRONMENTAL HEALTH SERVICES

Objective The provision of adequate sewer and water systems within a metropolitan context and the encouragement of only that growth for which the City can afford to provide these services.

10.1 The City shall establish a list of priorities for the provision of sewer and water services in accordance with Policy 2.1.3 of this Plan and the official City report entitled Land Development Distribution Strategy, 1977.

10.2 In order to ensure that critical sewer and water problems will not be created within or beyond development areas, the amount of development shall be related to capacity of existing (including potential rehabilitation) and planned sewer, water and pollution control systems, by drainage area, and shall not exceed the capacities of those systems as determined by the standard practises of the City. This shall be accomplished by Implementation Policy 5.

10.3 The City shall encourage a program for reducing waste and a total waste reclamation operation for the metropolitan area, and shall encourage, in cooperation with other levels of government, the investigation of viable technologies for use and/or disposition of both solid and sewage waste materials.

11. MUNICIPAL FINANCE

Objective The coordination of the City's capital and current budgets with the Municipal Development Plan.

11.1 The capital and operating budgets of the City shall be made to reflect and conform to the policies and priorities established in the Municipal Development Plan.

11.1.1 The City should ensure that the capital budget responds to and reflects the direction set by the official City report entitled Land Development Distribution Strategy, 1977, and the capital budget format should be revised to include and indicate the complete capital program by geographic areas as defined therein.

11.2 The City shall develop financial policies which will promote the policies and priorities developed within the Municipal Development Plan.

11.2.1 The City shall actively pursue contributions from outside sources to further the policies and priorities developed in this Plan.

11.2.2 The City shall establish a revolving fund in annual amounts of not less than $50,000 with the excess of revenues over expenditures accumulated not to exceed $250,000, or such other guideline as the Council may from time to time establish, for the purposes described in Policy 6.5 of this Section of the Plan.

11.3 The taxation policies of the City shall, to the extent legally and financially possible, be designed to support the economic, physical and social development policies of the Municipal Development Plan.

11.4 The City, in cooperation with the provincial and federal governments, should analyze the revenues received from institutional uses against the cost of the municipal services they require.

12. CITIZEN PARTICIPATION

Objective	Citizen participation as a necessary part of all planning processes within the City, in forms to be developed in consultation with the community.
12.1	The City shall legally constitute a Planning Advisory Committee under the Planning Act to review, monitor and advise on any proposed changes in the Plan and to assess any developments in the context of the Plan.
12.1.1	The City should create any other advisory sub-committees, including a design review advisory panel, which, upon investigation, it deems necessary to the proper administration of this Plan, such advisory sub-committees in all cases to report to and through the Planning Advisory Committee in Policy 12.1
12.2	The City should create area planning offices and shall allocate resources on a priority basis to do neighbourhood and detailed area plans.
12.2.1	Such area planning offices should be maintained only in those areas where detailed planning is in progress and only for the duration of that effort.
12.3	In the detailed area planning process, the City shall review, consider and respond to any plans prepared by neighbourhood organizations.
12.4	The City shall develop procedures for consulting with the public on decisions which will affect the planning or development of the City. These procedures shall pay particular attention to the timing of public access to information, the methods for providing it, and the need of individuals and groups to have an adequate time period for review prior to final City Council decisions.
12.5	The City shall encourage citizens to make written submissions on planning issues or items of neighbourhood concern (for example, development proposals, rezoning issues). These briefs will, if possible, accompany staff reports to City Council, but in any case shall be submitted to Council for their information.

12.6 The City shall encourage, where necessary, the formation of neighbourhood service and resource facilities which would facilitate awareness and articulation of neighbourhood concerns. The City shall encourage the coordination of existing services and organizations to ensure that citizens will be best able to understand and utilize available resources.

13. GENERALIZED FUTURE LAND USE MAP

13.1 Map 9 shall be considered as the expression of intent of the City of Halifax for a future land use pattern based on the policies outlined heretofore.

13.2 The areas of future land use shown on Map 9 shall be determined primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.

13.2.1 Pursuant to Policy 13.2, for those areas where a detailed area plan forms a part of this Plan, and where the areas of future land use are shown on a Generalized Future Land Use Map for such area, as indicated on Map 9, the City shall determine the areas of future land use in accordance with the policies of the detailed area plan. In addition to the requirements of Policy 13.2 above, where the matter under consideration is not addressed by the policies of the detailed area plan, the policies of Part II, Section II of this Plan shall apply as appropriate.

SECTION III

CENTRAL BUSINESS DISTRICT

OBJECTIVES AND POLICIES

CONTEXT

The detailed objectives and policies for the Halifax Central Business District shall be considered as part of this Plan pursuant to Part II, Section II, Policy 3.2.2.

AREA DEFINITION

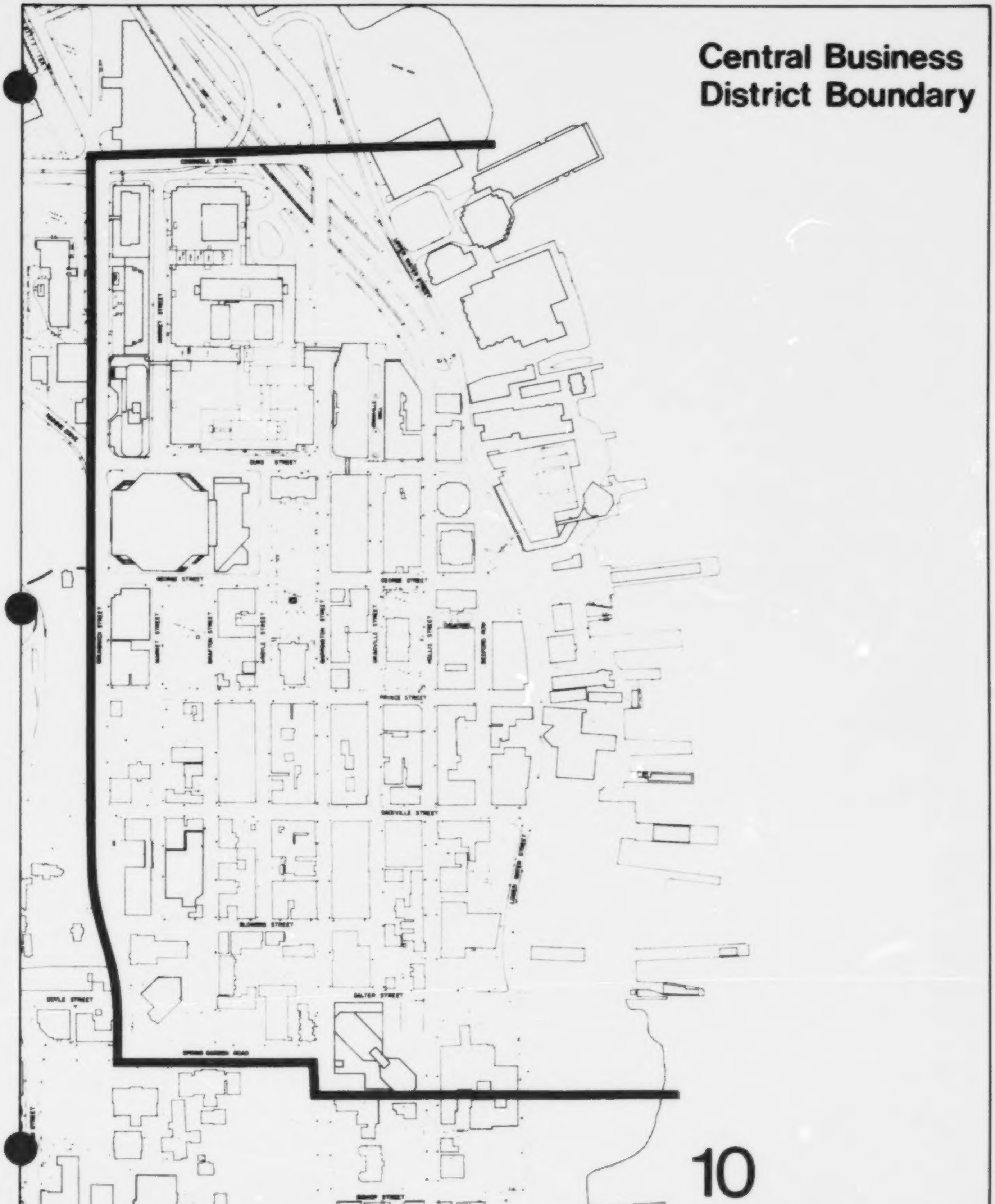
For the purposes of this Plan, the Halifax Central Business District is as illustrated on Map 10 herein and includes all of the area bounded by the centre line of Brunswick Street, the center line of Cogswell Street, Halifax Harbour, the centre line of Spring Garden Road to Barrington Street, the western and southern boundary of the Maritime Centre, and the eastern extension of the southern boundary line of Maritime Centre to the Harbour.

DEFINITION OF TERMS

Term	**Definition**
Commercial	The term "commercial" includes offices, retail stores, service shops and premises, public service, protection, utility premises and undertakings, and places of amusement and entertainment, all such uses being consistent with the General Business Zone.
Cultural Uses	The term "cultural" includes all uses oriented towards the arts and the improvement of knowledge and skills.
Grain	The pattern established by the relative positions and sizes of buildings in the Plan.
Grid/Street Grid	The pattern of intersecting street spaces.

Housing - High Density/Low Rise	Walk-up (patio) housing, 4 storeys, 200 persons/acre maximum, inclusive of access roads and parking.
Interim Use	The use of land or buildings during the period between dislocation of previous use and the commencement of construction for new development.
Landmark	"Landmark" as defined in Ordinance Number 123 is an area of land including any building or structures thereon, deemed by resolution of Council to be representative of the social, commercial, or political history of the City, or to have some aesthetic or architectural merit.
Marine-Related Use	One which has as its purpose any of the following: (i) utilization of Harbour as "working water"; (ii) provision of a direct commercial service to any use of utilizing the Harbour as "working water"; (iii) activities or events historically associated with the waterfront; (iv) provision of water-related uses which are essentially public in nature.

Central Business District Boundary


COGSWELL STREET
UPPER WATER STREET
MARKET STREET
DUKE STREET
GEORGE STREET
BRUNSWICK STREET
GRAFTON STREET
ARGYLE STREET
BARRINGTON STREET
GRANVILLE STREET
HOLLIS STREET
BEDFORD ROW
PRINCE STREET
SACKVILLE STREET
LOWER WATER STREET
BLOWERS STREET
SALTER STREET
DOYLE STREET
SPRING GARDEN ROAD
BISHOP STREET

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Municipal Development Plan

City of Halifax, March 1978†

† Correct as of 26 October, 1989.

KLW 06/87

Mixed-Use Developments	The physical integration of three or more identifiable uses (such as retail, office, residential, hotel, recreation, etc.) or differing intensities of uses in a development which demonstrates significant functional and physical integration of components including pedestrian connections in accordance with the policies of this Plan to surrounding uses.
Open Space	Areas of outdoor space including circulation space, hard landscaped areas, parks and recreational space to which people have physical and/or visual access.
Parking - Long Term	Parking space provided for private automobiles and used for periods of time greater than five hours; often to accommodate the downtown employees.
Parking - Short Term	Parking space designed and managed to facilitate a high turnover of occupancy often used for purposes of shopping or for personal business reasons.
Phasing/Development Phasing	The dates for construction of each building or part of a building within a development plan of a proposed development.
Population Density	The term "population density" means the number of persons occupying a building on a lot per one acre of gross lot area. In determining population density, the number of persons occupying a building on a lot shall be calculated on the basis of one person for each habitable room contained therein.
Retail Services	Those commercial enterprises providing for the sale of goods and services, including

	entertainment and recreational services, to the public.
Service Vehicles	Vehicles delivering goods and services, including taxis and other vehicles picking up and dropping off people.
Street Space	The space between the building lines on either side of the street.
Walkway	A pathway designed for use by pedestrians.
Weather-Protected	Giving some protection, but not necessarily totally enclosed.

1. ECONOMIC

Objective The strengthening of the Halifax CBD as a dynamic focus of governmental, commercial, retail, residential, recreational, and entertainment uses, and the appropriate development of the waterfront to promote the City as the major business and cultural centre of Atlantic Canada.

1.1 It shall be the City's policy to strengthen the development of the specific desirable characteristics of identified sub-areas of the CBD, as defined on Map 11 and in Schedule III.1 to provide the impetus necessary to ensure the viability of all parts of the CBD. The City shall accomplish the intent of this policy and all policies in Part II, Section III, Subsection I of this Plan, by Implementation Policy 3.5.

1.1.1 The City shall seek, encourage, and facilitate developments which respond positively to this concept and discourage those which respond negatively.

1.1.2 The City should influence locational and design decisions through these policies, the development of additional guidelines and appropriate zoning controls in order to achieve compatibility with this concept.

1.1.3 The City shall review the sub-area concept referenced in Policy 1.1.1.

1.2 It shall be the City's policy to encourage Barrington Street as an activity-oriented circulation area.

1.2.1 In this context, the City should encourage such development on Barrington Street as will generate a variety of activities, particularly retail, but including institutional, recreational, residential, and cultural activities accessible to the public at large, with the stipulation that priority of activity is given to ground floor level.

1.3 Development in the CBD, especially on the waterfront, should seek to retain and integrate the viable and inoffensive industries, commercial enterprises, and institutions which contribute significantly to the activity and character of the CBD.

1.3.1 The City should encourage development by continuing to seek upgrading of the immediate environment; for example, by landscaping and underground wiring.

1.3.2 The City should encourage new developments that integrate with existing industries, commercial enterprises and institutions.

1.3.3 In the context of any publicly-planned development, the City should require an assessment of the economic viability of existing uses if such uses are threatened by expropriation.

1.4 The CBD should be strengthened as a principal shopping centre in the region, through the development of a substantial increase in retail and commercial floor space, and the provision of a wide range of consumer facilities.

1.4.1 The City shall seek cooperation between the public and private sectors to achieve the planning and development objectives for the CBD.

SCHEDULE III.1

The following sub-areas have been identified within the Central Business District:

1. Scotia Square & Environs - an existing concentration of office and retail space between Brunswick Street and the eastern side of Barrington Street, and between Duke and Cogswell Streets.

2. Waterfront to the South of the Cogswell Interchange - a sub-area which is in the process of change and is developing the facilities and attractions required of a tourist area, including major rehabilitation of Historic Properties.

3. Cultural Area - a sub-area with an existing emphasis on cultural functions, including churches, the library, Neptune Theatre, small specialty shops.

4. Waterfront Development Area - a sub-area which incorporates the major portion of the redevelopment that is expected to take place through the Waterfront Development Area Plan, which will develop into a major focus of mixed-use activity within the CBD.

5. Metro Centre - a specific use sub-area located between Brunswick and Argyle, George and Duke Streets.

6. City Hall & Grand Parade - a sub-area of civic and cultural value.

7. Province House to Ferry Terminal - a sub-area between Granville Street and the Ferry Terminal which incorporates some of the most interesting historic buildings in the City.

8. Barrington Street Circulation Area - a sub-area focused on Barrington Street.

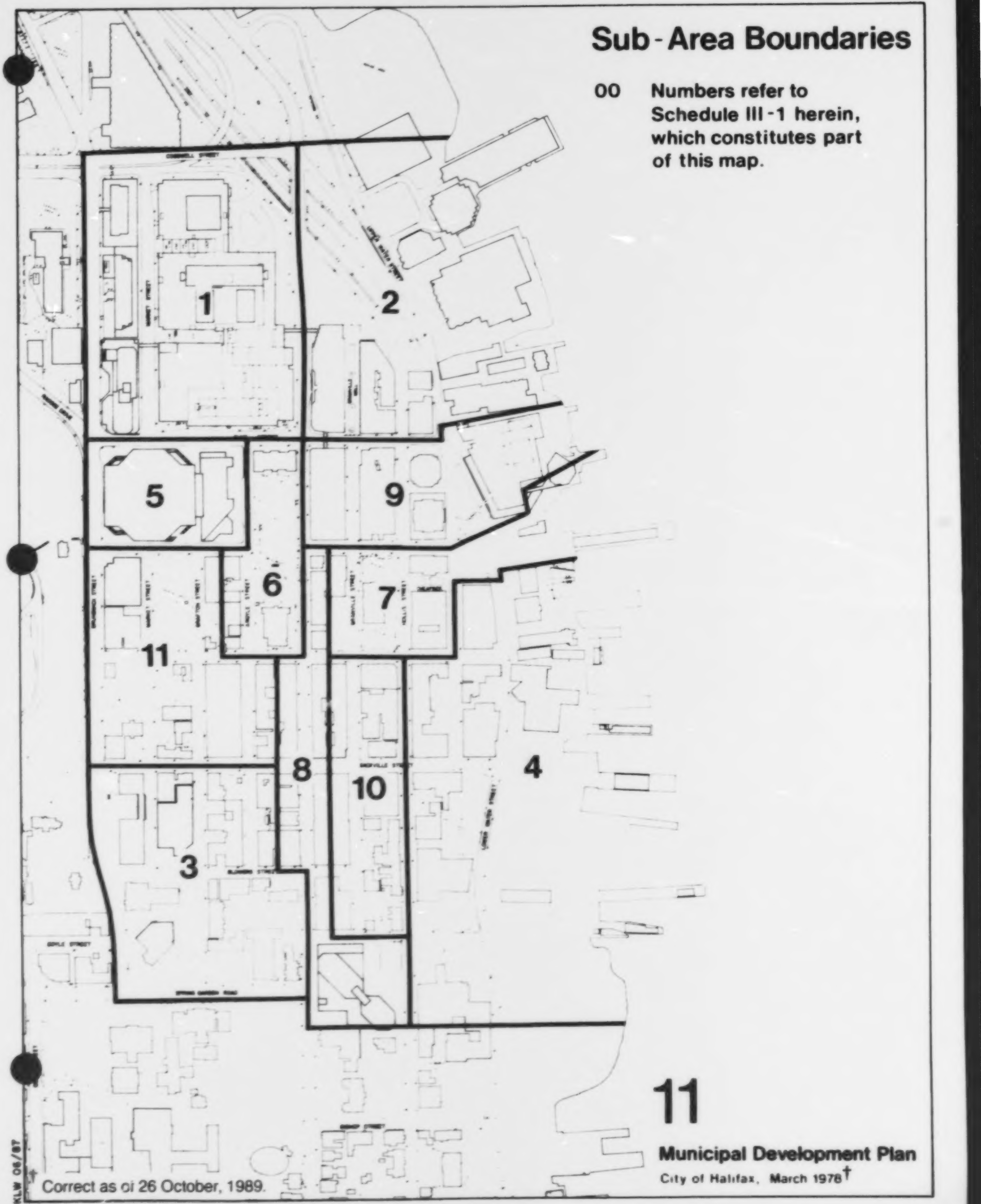
9. Duke and George Street Area - a sub-area between Barrington Street and the Waterfront, bounded by Duke and George Streets.

10. Granville Street Area - a sub-area of office and mixed-use between Hollis Street and the western side of Granville Street, and extending from Salter Street to Prince Street.

11. Brunswick Street Area - a sub-area of mixed use between Brunswick and Argyle Streets, and between Sackville and George Streets.

Sub-Area Boundaries

00 Numbers refer to Schedule III-1 herein, which constitutes part of this map.



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Municipal Development Plan

City of Halifax, March 1978†

†Correct as of 26 October, 1989.

KLW 06/87

2. SOCIAL

Objective The creation of a lively, vibrant environment throughout the CBD which promotes and supports a wide variety of living, leisure, and working activities throughout the day and evening.

2.1 The City shall seek and encourage appropriate non-office land and water uses which will generate human activity in the CBD area throughout the day and evening.

2.1.1 The construction of office and retail buildings in the CBD should be those which reinforce the image of the City as the regional centre of activity, and should generate the need for services and amenities (hotels, entertainment, restaurants, etc.) which will provide an active CBD.

2.1.2 The City should require that space adjacent to areas of pedestrian circulation, including walkways at any level, be developed for retail activities and such other uses as generate and encourage the desired degree of public interest and activity.

2.1.2.1 The City should require that any vertical surface between a pedestrian circulation area and any retail or such other use as referred to in Policy 2.1.2 respond to such functions, or through design treatment of surface elements, be visually stimulating to the pedestrian.

2.2 The City shall promote the development of mixed-use residential and commercial areas which are appropriate to the varied scale and character of the sub-areas of the CBD.

2.2.1 In the CBD, residential uses shall be encouraged within the same building envelope as office uses provided the commercial potential of the site is not displaced.

2.3 The City shall promote the development of tourist facilities within the CBD, including the provision of marine facilities along the waterfront in support of increased activity along the land/water edge.

2.4 It shall be the City's policy to give recognition to the specific economic and environmental characteristics of that part of the CBD which is located on the waterfront, including the intrinsic needs of industrial and commercial activities associated with the waterfront, and the encouragement of appropriate development in that area within the context of the entire CBD.

2.4.1 In order to relate the waterfront to the CBD, it shall be the City's policy to encourage activities which will take advantage of the resources and amenities of the waterfront; physical and visual linkages should be created to coordinate the whole of the CBD.

2.4.2 The City shall encourage the phasing of mixed-use development, including residential, which will support the objective of sustaining vitality throughout the CBD at all times within the waterfront development area.

2.4.3 It shall be the City's policy to encourage the distinction in function between the land/water edge and the CBD core; the land/water edge should be a focus for pedestrian activity and marine-related uses.

2.4.4 Within the waterfront area, the City shall encourage the design and implementation of a public open space network which complements the desirable characteristics of both the existing and proposed developments, which accommodates human activity, and which encourages pedestrian circulation throughout the area, including the water's edge.

3. CIRCULATION

Objective The creation within the CBD of a circulation framework which gives priority to the pedestrian, but which accommodates the transit, automobile and service requirements of the area.

3.1 The use of the private automobile within, to and through the CBD should be facilitated where it does not conflict with pedestrians and public transit.

3.1.1 The City should promote Barrington Street as a major pedestrian circulation area in the CBD; in the accommodation of vehicle and transit movement on this street, detailed attention should be paid to the comfort and safety of the pedestrian.

3.1.2 The City should prepare and implement a plan for the improvement of the present pattern of pedestrian linkages, to ensure that people can move safely and comfortably throughout the CBD.

3.1.2.1 The City should seek the provision of weather protection for pedestrians, particularly at street level, where new development or major alterations to building facades abut pedestrian routes in the CBD.

3.1.2.2 The City should seek to ensure that the pedestrian system is free from hazards by encouraging the provision of ramps and lowered curbs for baby carriages, wheelchairs, etc.

3.1.2.3 In relation to the pedestrian system, the City shall give consideration to the design and location of all street facilities, including supervised washrooms, public information boards, seats, planters, lamp standards, trash holders, kiosks, and the coordination of all retail signs, building signs, directional signs, internally-luminated signs, etc.

3.1.3 The City should encourage, and when appropriate, participate in the establishment of open air pedestrian malls.

3.2 The City shall continue to promote the use of public transit as a means of increasing the efficiency of the major street network and of improving access to the CBD.

3.2.1 The City shall seek to ensure the convenient linking of public transit operations with the Ferry Terminal and peripheral parking areas.

3.2.2 The City shall strive to further upgrade transit service and convenience, where necessary and practical, in the CBD.

3.2.2.1 The City should consider developing a system of exclusive transit lanes to operate during the peak periods of travel, whereby to accommodate a significantly increased passenger flow.

3.2.2.2 The City should implement other traffic management techniques and programs which facilitate improved transit movement within the CBD.

3.2.2.3 The City should ensure that transit linkages from all parts of the City have access to the CBD.

3.2.3 The City should encourage an increase in passenger usage of the ferry services to the CBD.

3.3 Long-term parking to support the functions of the CBD should be encouraged in convenient locations provided the quantity of space provided does not discourage the use of public transit.

3.3.1 Long-term parking facilities should be located on the periphery of the CBD, and the City shall actively pursue their location in appropriate sites.

3.3.2 Additional long-term parking facilities should be located at transit terminals serving the residential areas of Mainland Halifax, and at appropriate locations on the periphery of the Peninsula (see Section II, Policy 9.1.1).

3.4 The City should encourage the development of short-term parking facilities, available to the public, preferably combined with new development in the CBD.

3.4.1 Short-term parking facilities serving individual blocks or buildings should be discouraged.

3.4.2 On-street parking on downtown streets should be prohibited during peak periods, with the exception of secondary streets which are under-utilized for traffic movement at those times; such secondary streets should be designated for short-term parking only.

3.4.3 Provided they are for public use, surface parking lots may be permitted as an interim use in order to meet immediate needs. Such parking lots should not become permanent features of the CBD, unless they are located and managed in such a way that their continuation is consistent with the entirety of Policy 3.4.

3.5 Traffic not originating in, nor destined for the CBD, should not be directed through the CBD.

3.5.1 Subject to practical alternate routes being identified, truck movements through the CBD should be discouraged.

3.5.1.1 Where truck movements in the CBD are necessary, care should be taken to preclude their coming into direct conflict with pedestrian movement.

3.5.2 Lower Water Street and Upper Water Street to Buckingham Street shall be maintained substantially at their present widths and should function as a local service road.

3.5.2.1 Traffic should be diverted from Lower and Upper Water Streets to other streets which are under-utilized.

3.5.3 Truck loading and unloading which is required as a service to the businesses of the CBD should be accommodated, but should not unnecessarily impede nor disrupt automobile or transit movement and should not discourage or endanger pedestrian movement.

3.5.3.1 The City should require loading and unloading for large new developments to be accommodated off-street.

3.5.3.2 The City should examine management techniques whereby on-street loading and unloading which is necessary can be accommodated within the movement framework.

3.5.3.3 On-street loading and unloading should not be permitted during morning and afternoon peak traffic hours on major streets in the CBD.

3.6 The City should encourage employers in the CBD to adopt flexible work hours in order to spread the traffic demands at peak hours.

4. HERITAGE

Objective The conservation or rehabilitation of areas, streetscapes, buildings, features, and spaces which mark the sequence of development in Halifax, and which identify the CBD as the City's cultural and heritage centre.

4.1 In order to further define the planning framework for the CBD, the City hereby designates George and Barrington Streets as the axis of the CBD, and acknowledges the Grand Parade as the symbolic City centre.

4.1.1 The City shall promote George Street as an important east-west pedestrian route which provides access to the many buildings and features of historic and architectural interest located there, including the Town Clock and Province House, and which links Citadel Hill, the Grand Parade, and the waterfront.

4.1.2 The City shall encourage development bordering on the Grand Parade to be sympathetic in scale to the civic and historic buildings and open space in the area.

4.2 The City shall continue to seek the retention, preservation, rehabilitation and restoration of areas, streetscapes, buildings, features and spaces in the CBD consonant with the City's general policy stance on heritage preservation (see Section II, Policy Set 6).

4.2.1 The criteria by which the City shall continue to identify such areas, streetscapes, buildings, features and spaces in the CBD are set out in the official City of Halifax report entitled "An Evaluation and Protection System for Heritage Resources in Halifax (City Council, 1978)."

4.2.2 The City should designate those properties which meet the adopted criteria as registered heritage properties or registered heritage conservation areas, and protect them within the terms of the Heritage Property Act.

4.2.3 The City shall regulate demolition and external alterations under the provisions of the Heritage Property Act, and should secure inducements for retention, maintenance and enhancement of registered heritage properties within the CBD.

4.3 The City shall investigate the possibility of establishing Heritage Conservation Zones to protect registered heritage conservation areas and registered heritage streetscapes under the provisions of the Planning Act. The results of such investigations should be incorporated as amendments to this Plan and to the Land Use Bylaw.

5. OPEN SPACE

Objective	The design and implementation of a public open space network which complements the characteristics of both existing and proposed developments in the CBD, accommodates human activity, and encourages pedestrian circulation throughout the area.
5.1	The City shall seek the establishment of an open space system in the CBD to include existing green spaces, pedestrian malls and linkages, and additional strategically located open spaces.
5.1.1	The City shall seek to ensure the protection and enhancement of existing public open spaces in the CBD by establishing design guidelines and other appropriate controls.
5.1.2	The City shall seek the development of open spaces which serve areas of the CBD rather than individual buildings.
5.2	The City shall seek the incorporation of vegetation and landscaping as essential elements in the design of new developments in the CBD, and shall encourage the provision of planting throughout the CBD.

6. VIEWS

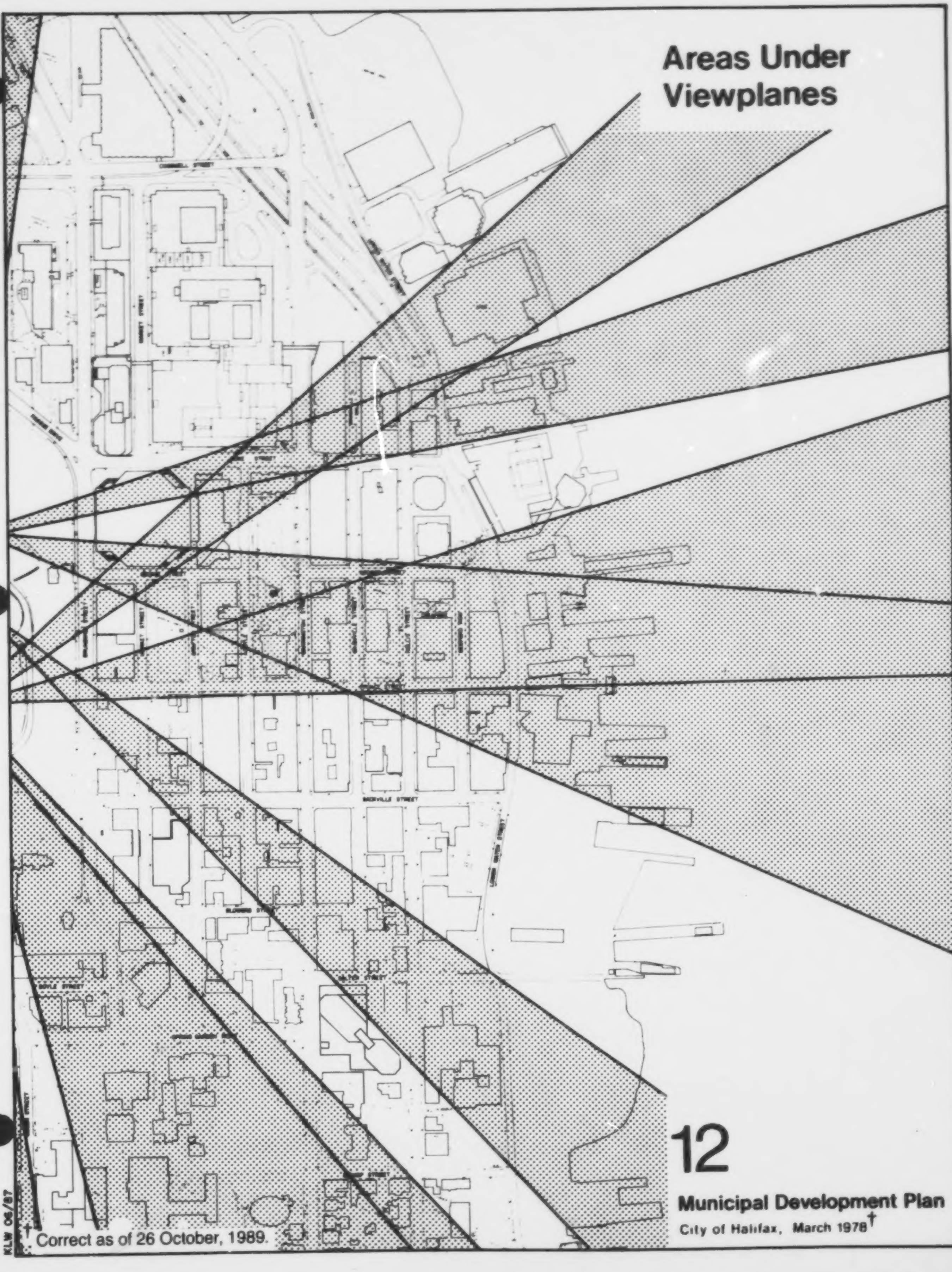
Objective A CBD which is visually attractive from its major approach roads, from Citadel Hill, and from the harbour.

6.1 All new buildings shall be located so that views to the Harbour from Citadel Hill, as specifically delineated in the City of Halifax Zoning Bylaw, are maintained. These areas in the CBD are illustrated generally on Map 12.

6.2 Views of and from the Harbour along the east-west streets should be conserved where existing, and when opportunity arises, such views should be enhanced and new views added.

6.3 The City should encourage rooftop landscaping in any new developments which can be seen from the Citadel, from taller buildings, or from other parts of the City.

Areas Under Viewplanes


COGSWELL STREET
SACKVILLE STREET
KLW 06/87

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Municipal Development Plan

City of Halifax, March 1978†

† Correct as of 26 October, 1989.

7. SCALE AND DESIGN DETAIL

Objective A high quality of design and construction of buildings to reflect the architectural, heritage and topographical characteristics of the CBD.

7.1 The City shall generally retain the remaining street grid and City block pattern in the CBD.

7.1.1 The City should not undertake substantial street widenings in the CBD which would materially alter the character of the street grid.

7.1.2 The City shall encourage the architectural form and scale of new developments to be compatible with the block pattern, and shall discourage those developments which do not respect it.

7.2 The character of the CBD should be reinforced through the control of urban design details such as massing, texture, materials, street furniture, and building lines.

7.2.1 The exterior architectural design of new buildings should be complementary to any adjacent ones which are designated as being of historic significance or important to the character of the CBD; in such instances, the careful use of materials, colour, proportion, and the rhythm established by surface and structural elements should reinforce those same aspects of the existing buildings.

7.3 The City shall control the height of new development within the CBD in the vicinity of Citadel Hill, pursuant to Policies 6.3, 6.3.1, 6.3.2 and 6.3.3 of Section II of this Plan.

7.3.1 In Band A, as shown on Map 12A, the following height controls shall apply:

(i) the basic height of a building shall be 60 feet. This height may be exceeded provided there is one and one-half feet of setback from the Brunswick Street streetline for every foot of additional height above the 60 foot level. No such setbacks are required from other streetlines or property lines.

(ii) notwithstanding the above, no building shall exceed 75 feet in overall height or penetrate a viewplane.

7.4 The City shall prepare design criteria, including guidelines on appropriate street furniture and signs, that respect the proportion and character of the existing Barrington Street streetscape.

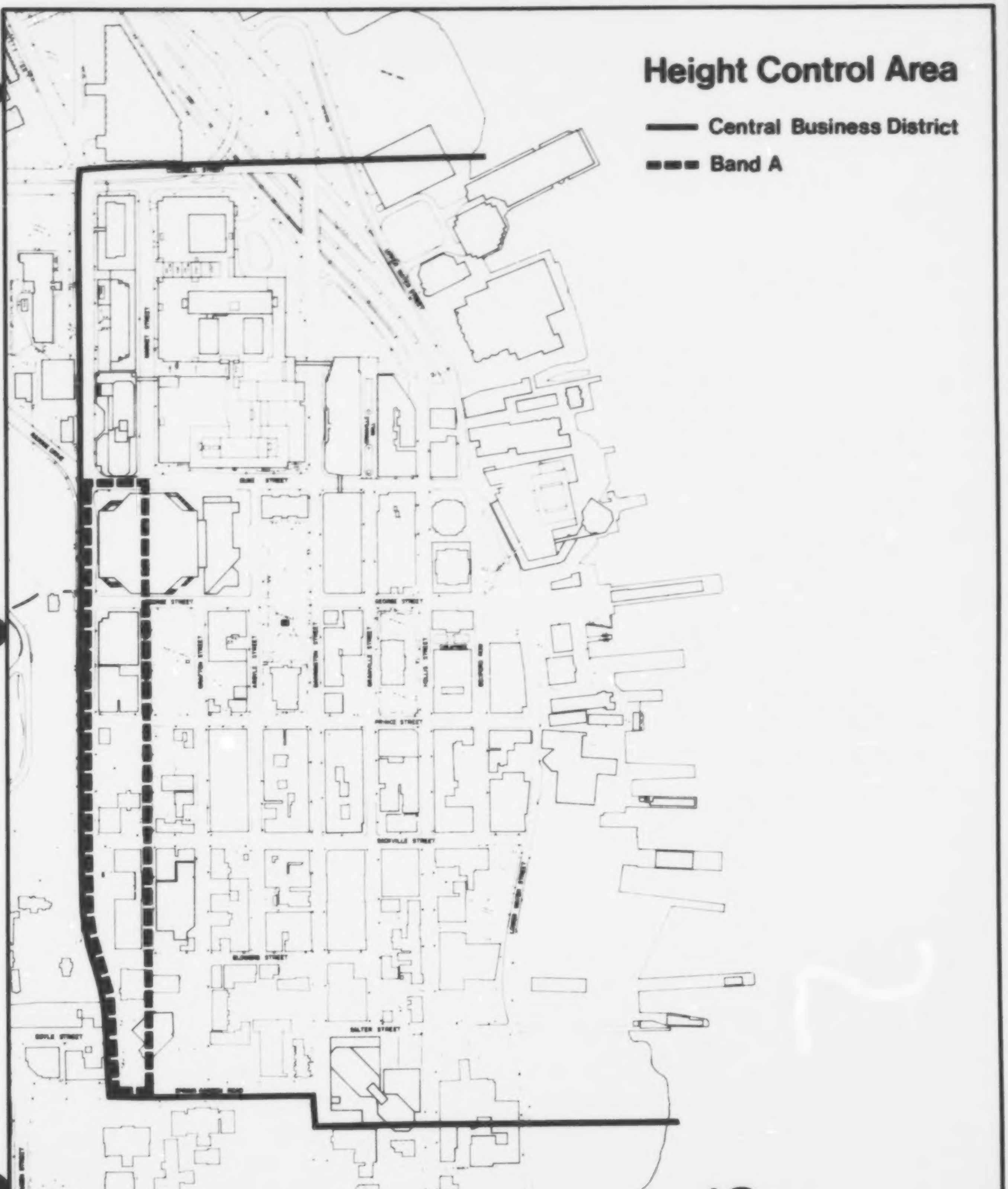
7.5 The design of new developments in the CBD should be such that normal wind levels on outdoor pedestrian routes and in public open spaces will be acceptable.

7.5.1 The City should investigate ways to regulate design to mitigate the effects of wind on pedestrian routes (see Section II, Policies 8.1 - 8.6).

7.6 The design of new developments in the CBD should be such that there will be a minimal amount of shadow cast on public open spaces.

7.7 The City should seek ways to ensure that the physical environment of the CBD is free of pollution from air, water, and sound in excess of levels acceptable to human activity.

Height Control Area


Central Business District
Band A
COGSWELL STREET
MARKET STREET
UPPER WATER STREET
DUKE STREET
GEORGE STREET
GRAFTON STREET
ARGYLE STREET
BARRINGTON STREET
GRANVILLE STREET
HOLLIS STREET
BEDFORD ROW
PRINCE STREET
SACKVILLE STREET
LOWER WATER STREET
BLOWERS STREET
SALTER STREET
DOYLE STREET
SPRING GARDEN ROAD
BISHOP STREET
KLW 06.87

12a

Municipal Development Plan

City of Halifax, March 1978⁺

⁺ Correct as of 26 October, 1989.

SECTION IV

HALIFAX WATERFRONT DEVELOPMENT AREA

OBJECTIVES AND POLICIES

CONTEXT

Pursuant to Part II, Section II, Policy 3.2.3, the objectives and policies contained in this section constitute the City's plan for the Halifax Waterfront Development Area (HWDA). The intent of Part II, Section IV, Subsections 2, Land Use, and 5, Civic Open Space, shall be accomplished by Implementation Policy 3.5.

The HWDA governed by this section is shown on Map 13 and includes all of the area bounded by the southern edge of Pier 2, the Harbour line, the centre line of Terminal Road, and the centre line of Hollis Street. For the purposes of this section, the HWDA is divided into three sub-areas which are shown on Map 14:

- the northern sub-area, being that portion north of the so-called DND lands to Pier 3

- the CBD sub-area, which conforms to the Central Business District boundary and is coterminous with the Intergovernmental Waterfront Committee (IWC) conceptual plan, considered by City Council in March, 1976

- the southern sub-area, between the CBD and the southern boundary of the HWDA

DEFINITION OF TERMS

A definition of terms used in specific ways in this Section are as follows and are included to further clarify policy guidance:

Term	**Definition**
Commercial	The term "commercial" includes offices, retail stores, service shops and premises, public service, protection, and utility premises and undertakings, and places of amusement and entertainment, all of such uses being consistent with the General Business Zone.
Cultural Uses	The term "cultural" includes all uses oriented toward the arts and the improvement of knowledge and skills.
Grain	The pattern established by the relative positions and sizes of buildings in the Plan.
Grid/Street Grid	The pattern of intersecting street spaces.
Housing - High Density/Low Rise	Walk-up (patio) housing, 4 storeys, 200 persons/acre maximum, inclusive of access roads and parking.
Interim Use	The use of land or buildings during the period between dislocation of previous use and the commencement of construction for new development.
Marine-Related Use	One which has as its purpose any of the following: i) utilization of Harbour as "working water";

DEFINITION OF TERMS
(Continued)

	ii) provision of a direct commercial service to any use of utilizing the Harbour as "working water";
	iii) activities or events historically associated with the waterfront;
	iv) provision of water-related uses which are essentially public in nature.
Mixed-Use Developments	The physical integration of three or more identifiable uses (such as retail, office, residential, hotel, recreation, etc.) or differing intensities of uses in a development which demonstrates significant functional and physical integration of components including pedestrian connections in accordance with the policies of this Plan to surrounding uses.
Open Space	Areas of outdoor space including circulation space, hard landscaped areas, parks and recreational space to which people have physical and/or visual access.
Parking - Long Term	Parking space provided for private automobiles and used for periods of time greater than five hours; often to accommodate the downtown employee.

DEFINITION OF TERMS
(Continued)

Parking - Short Term	Parking space designed and managed to facilitate a high turnover of occupancy often used for purposes of shopping or for personal business reasons.
Phasing/Development Phasing	The dates for construction of each building or part of a building within a development plan of a proposed development.
Population Density	The term "population density" means the number of persons occupying a building on a lot per one acre of gross lot area. In determining population density, the number of persons occupying a building on a lot shall be calculated on the basis of one person for each habitable room contained therein.
Retail Services	Those commercial enterprises providing for the sale of goods and services, including entertainment and recreational services, to the public.
Service Vehicles	Vehicles delivering goods and services, including taxis and other vehicles picking up and dropping off people.
Street Space	The space between the building lines on either side of the street.
Walkways	A pathway designed for use by pedestrians.
Weather-Protected	Giving some protection, but not necessarily totally enclosed.
HWDA	Halifax Waterfront Development Area.

DEFINITION OF TERMS
(Continued)

DND	Department of National Defence
CBD	Central Business District
IWC	Intergovernmental Waterfront Committee

1. LAND/WATER EDGE

Objective The design and development of the land/water edge to create a dynamic focus to the renewal of the waterfront area.

1.1 The physical treatment of the land/water edge should be compatible with, and supportive of, the activities along the edge in order to provide for public enjoyment and use of the area.

1.2 The water's edge may be modified to create land for new uses, or for the expansion of existing marine-related uses, while retaining the intrinsic relationship between land and water characterized by the finger piers.

Objective Continuous visual and, as far as is practicable, physical access to the land/water edge along its length.

1.3 There shall be a continuous public walkway at grade which follows the land/water edge, except where general use would be considered unsafe; in such cases, the walkway shall be provided around that use.

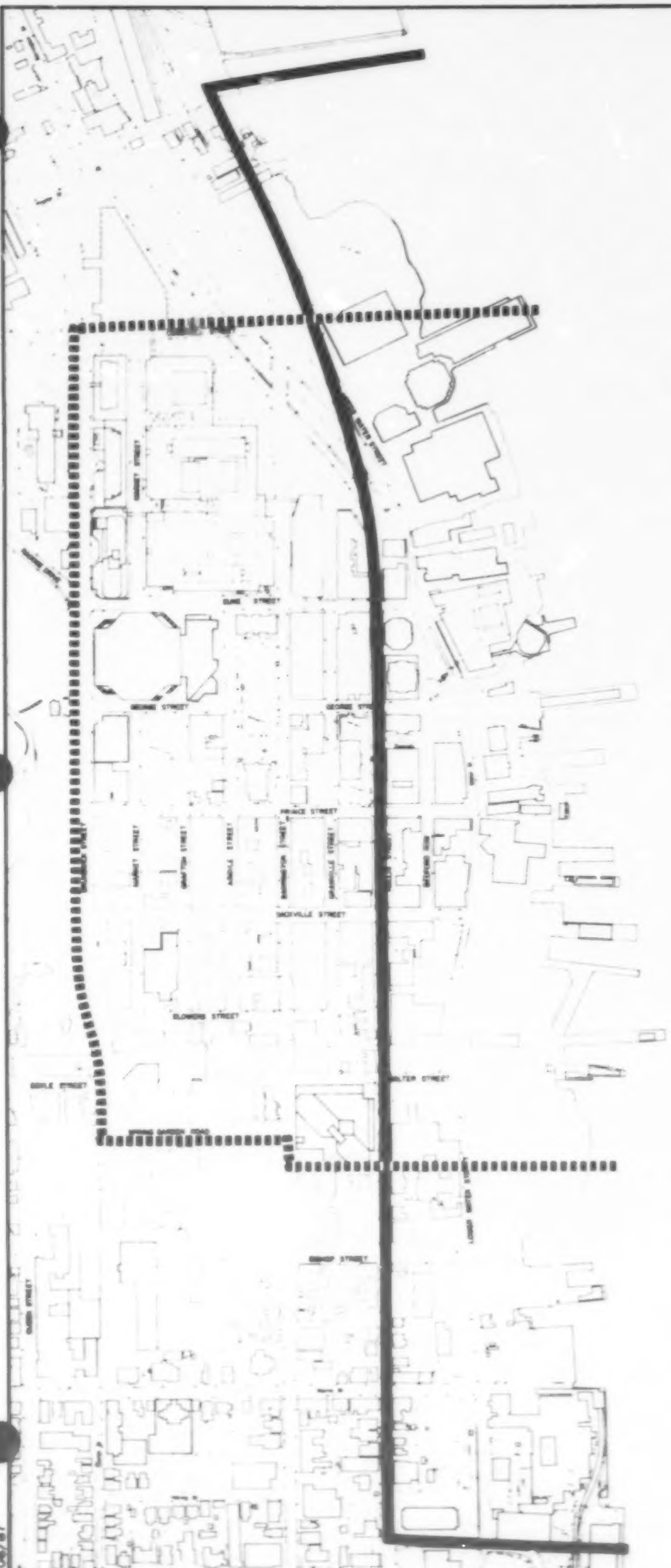
1.3.1 Only leisure, recreational, or marine-related uses should occupy land or water east of that walkway.

1.3.2 Removal of any portion of the walkway from the land/water edge for reasons of safety or security should not preclude visual contact with the adjacent marine-related use or the water beyond.

1.4 Existing marine-related uses should not be displaced by non-marine-related uses.

1.5 Elements of landscaping and planting should be introduced along the length of the walkway.

1.6 Information on the plant types most tolerant of the physical and climatic conditions pertaining in the HWDA should be made available to interested parties.


DUKE STREET
GEORGE STREET
PRINCE STREET
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BEDFORD ROW
SACKVILLE STREET
BLOWERS STREET
DOYLE STREET
SPRING GARDEN ROAD
SALTER STREET
LOWER WATER STREET
BISHOP STREET
QUEEN STREET

Boundaries

▬ Boundary of Halifax Waterfront Development Area

┅ Central Business District

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Municipal Development Plan

City of Halifax, March 1978†

KLW 06/87

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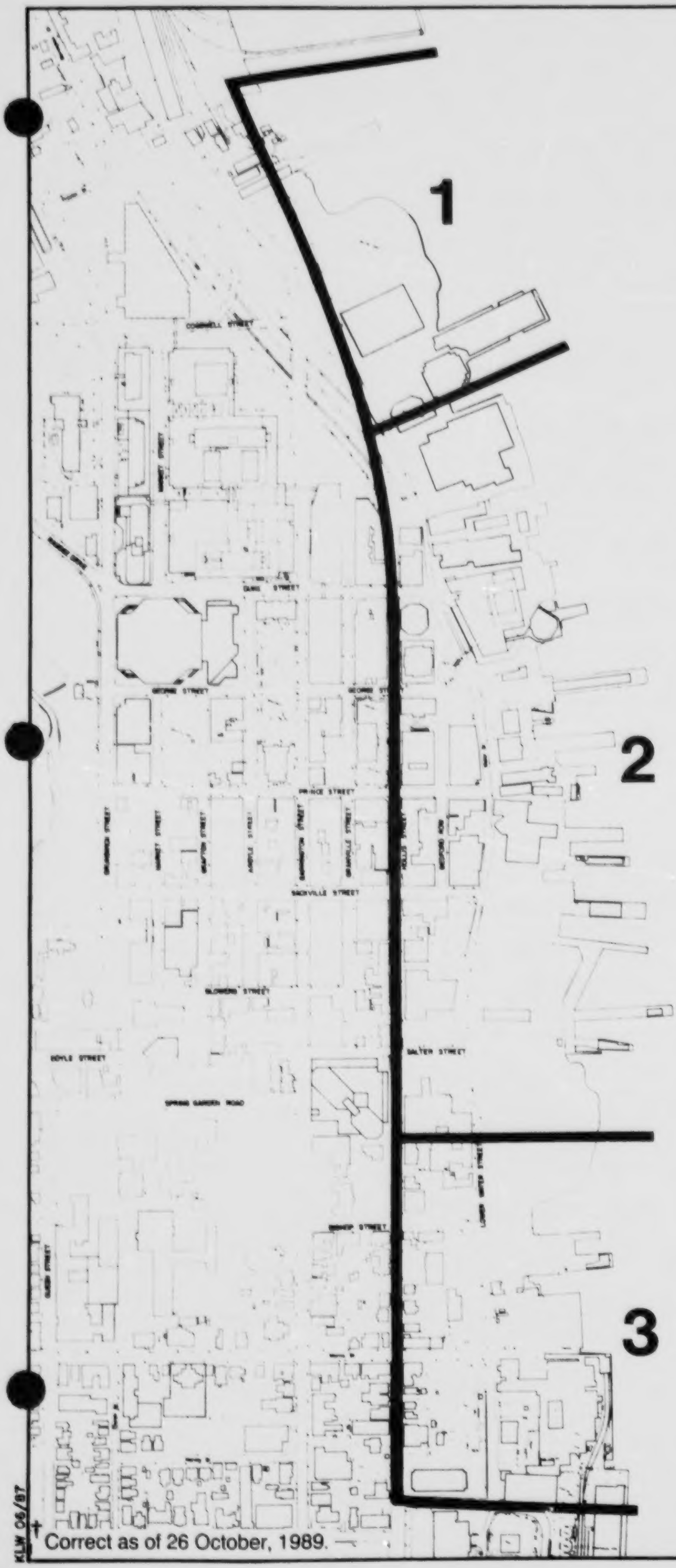
Sub-Areas Boundaries

1 Northern Sub-Area
2 C.B.D. Sub-Area
3 Southern Sub-Area


1
2
3
CORNWALL STREET
DUKE STREET
GEORGE STREET
PRINCE STREET
BRUNSWICK STREET
MARKET STREET
GRAFTON STREET
ARGYLE STREET
BARRINGTON STREET
GRANVILLE STREET
HOLLIS STREET
BEDFORD ROW
SACKVILLE STREET
BLOWERS STREET
SALTER STREET
DOYLE STREET
SPRING GARDEN ROAD
BISHOP STREET
LOWER WATER STREET
QUEEN STREET

KLW 06/87

†Correct as of 26 October, 1989.

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Municipal Development Plan

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2. LAND USE

Objective Development of the waterfront area to include a mixture of residential, commercial, institutional, cultural and marine-related uses.

2.1 The uses within each of the sub-areas should reflect the objectives of mixed use development; the balance between uses should differ, giving each sub-area a distinct identity.

2.1.1 Before any specific allocation of use to the northern sub-area of the HWDA, its function in the context of the CBD and the surrounding area should be considered; notwithstanding this, further development in this area should adhere to the objectives and policies detailed in this section.

2.1.2 The CBD sub-area of the HWDA should be developed primarily for office and retail uses, but should incorporate residential development; the location of retail and residential uses should generate pedestrian circulation throughout the area and to the water's edge.

2.1.3 The southern sub-area of the HWDA shall be developed primarily for residential and related uses.

2.1.4 Notwithstanding the provisions of 2.1.1, 2.1.2 and 2.1.3, the portion of the HWDA immediately adjacent to the water's edge should be reserved for marine-related uses and public open space.

2.2 The amount of commercial uses permitted in the HWDA shall be consistent with, and limited to, the amounts anticipated for the CBD in the *Halifax-Dartmouth Regional Development Plan* and the analysis upon which that Plan was based.

2.2.1 The amount of commercial development permitted in the CBD area of the HWDA shall conform to the objectives and policies pertaining to the CBD, and the rate of development within the HWDA should not create adverse effects on the rate of development in that part of the CBD outside the HWDA.

2.3 The following principles for the location of, and types of, uses cited shall be adhered to.

2.3.1 Marine-related uses may locate anywhere within the CBD area of the HWDA, or along the water's edge throughout the HWDA.

2.3.1.1 Finger piers should be retained as functional wharves for marine uses or for commercial uses.

2.3.2 Retail services, including entertainment and other retail activities, should be located on the ground floor of buildings and at other levels where such activities would generate movement for the pedestrian walkways.

2.3.3 Residential uses may be developed within the CBD area of the HWDA, and shall be the primary use within the southern sub-area subject to the following:

2.3.3.1 In the CBD sub-area, residential uses may be added to commercial developments, within the constraints of the design policies as established by this Section of the Plan, any subsequent standards and procedures adopted by the City, and all other applicable bylaws of the City, or they may be freestanding.

2.3.3.2 In the southern sub-area, residential uses shall be developed consistent with the policies for residential development in Part II, Section II of this Plan.

2.3.3.3 Residential development in the southern sub-area should be in either low-rise, high-density buildings, or in mixed use with commercial services related to, or compatible with, the residential uses intended for that area. Innovative housing forms, which would digress from the existing character of the area, should be considered on their merits in terms of their ability to meet the Part II, Section II objectives and policies.

2.3.4 Cultural uses should locate in the CBD sub-area, but may locate anywhere in the HWDA within the constraints of the policies in this Section.

3. CONSERVATION OF BUILDINGS AND SPECIAL FEATURES

Objective — The conservation or rehabilitation of areas, streetscapes, buildings, features, and spaces which mark the sequence of development in Halifax, and which demonstrate the historic and architectural character of the City.

3.1 The City shall continue to seek the retention, preservation, rehabilitation and restoration of areas, streetscapes, buildings, features and spaces in the HWDA consonant with the City's general policy stance on Heritage Preservation (see Section II, Policy Set 6).

3.1.1 The criteria by which the City shall continue to identify such areas, streetscapes, buildings, features and spaces in the HWDA are set out in the official City of Halifax report entitled "An Evaluation and Protection System for Heritage Resources in Halifax (City Council, 1978)."

3.1.2 The City should designate those properties which meet the adopted criteria as registered heritage properties or registered heritage conservation areas and protect them within the terms of the Heritage Property Act.

3.1.3 The City shall regulate demolition and external alterations under the provisions of the Heritage Property Act, and should secure inducements for retention, maintenance and enhancement of registered heritage properties within the HWDA.

3.2 The intrinsic relationship between land and water that is characterized by the penetration of the finger piers into the water area should be maintained.

3.2.1 The City should identify those piers which should be preserved as features of special significance to the City because of their association with the historic development of Halifax Harbour and because they articulate the land/water edge in this area.

3.2.2 The construction of a pedestrian walkway at grade along the land/water edge shall provide the necessary means of linking these two elements with Historic Properties, activity areas, new developments and other uses along the waterfront (see Policy 1.3).

3.3 The City shall investigate the possibility of establishing Heritage Conservation Zones to protect registered heritage conservation areas and registered heritage streetscapes under the provisions of the Planning Act. The results of such investigations should be incorporated as amendments to this Plan and to the Land Use Bylaw.

4. CIRCULATION

Objective The creation of a safe, comfortable and pedestrian-oriented environment which provides a choice between outdoor and weather-protected routes.

4.1 The City shall seek to ensure that there is comfortable and convenient pedestrian access from all parts of the HWDA to the CBD and to transit routes.

4.1.1 The following streets should be extended to the land/water edge as elements of the external pedestrian system when redevelopment occurs:

a) Morris Street
b) Bishop Street
c) Salter Street
d) Sackville Street
e) Prince Street
f) George Street
g) Buckingham (below Granville St.)

4.1.2 The City should seek the provision of weather-protection for pedestrians, particularly where new development or major alterations to building facades abut pedestrian routes in the CBD sub-area.

4.1.2.1 Priority should be given to the provision of weather-protected pedestrian routes in an east-west direction, including safe and comfortable pedestrian connections across Water and Hollis Streets.

Objective Minimal penetration by vehicles to the east of Water Street.

4.2 Water and Hollis Streets shall be the main vehicular access streets serving the HWDA; east-west vehicular movements between these streets shall be along the existing street grid.

4.2.1 Lower Water Street and Upper Water Street to Buckingham Street shall be maintained substantially at their present physical widths and should function as a local service road.

4.2.1.1 The City should develop additional criteria relative to the distance between facing building elevations along Lower Water Street and Upper Water Street to be incorporated into this section.

4.2.2 Only emergency vehicles and vehicles serving marine-related uses should be allowed to penetrate the extended east-west streets east of Water Street to the water's edge. Delivery vehicles, taxis, and other service vehicles should be allowed with appropriate controls.

4.3 Parking within the CBD area of the HWDA shall adhere to the policies for the CBD in Section III of this Part. Within the northern and southern sub-areas, parking should accord with the zoning bylaw.

4.3.1 In the CBD sub-area, to the west of Water Street, the City should encourage the development of short-term parking facilities for public use, preferably in combination with new development.

4.3.2 Pursuant to Part II, Section III, Policy 3.3.1, long-term parking facilities in the CBD area of the HWDA should be discouraged.

4.3.2.1 In the CBD area east of Water Street, parking facilities should be limited to short-term parking for the delivery and service requirements of the occupants of the development.

4.3.3 Provided they are for public use, surface parking lots may be permitted as an interim use during any phase of development in order to meet immediate needs (see Part II, Section III, Policy 3.4.3).

4.4 The policies of this Section pertaining to land use and pedestrian areas shall be respected in the evaluation of alternative transportation proposals for the CBD and the City.

5. CIVIC DESIGN

Open Space

Objective A network of public open space which complements the existing and proposed developments, accommodates human activity, and encourages pedestrian circulation throughout the area.

5.1 The existing street grid is the basis of the open space network and should be extended in the HWDA to the land/water edge to reinforce the traditional "grain" of the CBD and to form the east-west element of the public open space network in the following positions:

a) Morris (to the north of the power station when this area is developed)

b) Bishop

c) Salter

d) Sackville (through the Irving Arch)

e) Prince

f) George

g) Buckingham (below Granville Street)

5.1.1 The existing widths of these streets should be continued down to the water's edge with the exception of the local width of the Irving Arch opening which should form an architectural feature to this street extension.

5.1.2 The extension of the street grid to the water's edge should widen into public open spaces at the water's edge. Such open spaces at the ends of the east-west street extensions should be adequate to accommodate required vehicular turning movements.

5.1.3 The surface detailing of this street grid to the water's edge should be sympathetic to the pedestrian, and should be designed to slow the movement of any vehicle entering the area.

5.1.4 These public open spaces adjacent to the water's edge should not be used for parking.

Objective The conservation and creation of a high standard of environmental quality.

5.2 Open spaces between, over and around buildings should be designed to have contrasting characteristics; some narrow spaces with detailed architectural treatment, some taking advantage of views along the Harbour, and some very open spaces with panoramic views.

5.2.1 The details of the architectural design of any proposal in the area should ensure that each open space is usable, both as an integral part of the function of the area, and as a visually attractive feature of the design.

5.3 The City should encourage the incorporation of vegetation and landscaping as essential elements in the design of the HWDA.

5.3.1 A landscape plan for off-street open spaces should form part of any proposal within the HWDA.

5.3.2 Planting should be introduced throughout the HWDA, including close to the water's edge, to create visual interest and linkage throughout the area.

Views

Objective The preservation of existing views of the HWDA from both land and water, through the HWDA to the Harbour and from the HWDA in all directions and, where possible, the creation of new views.

5.4 Views of the Harbour and of the Citadel along the east-west streets and open space elements of this Plan within the CBD should be opened up as redevelopment provides opportunity. No part of any proposed new building should block these views.

5.4.1 Views of the Harbour should be retained at the following locations: (a) from the archway at Keith's Brewery on Water Street; (b) between the Ralston and Bank of Canada Buildings; (c) between the Court House and Historic Properties; (d) between Historic Properties and the Department of National Defence area parking.

5.4.2 Views of the Harbour should be opened up as development opportunities allow along the axis of Cheapside.

5.4.3 Views of the Harbour from Citadel Hill shall be preserved as specified in the Views Bylaw.

5.4.4 Roof areas of new developments, which can be seen from the Citadel, from taller buildings, or from other parts of the City, should be designed to be not only visually attractive, but, where appropriate, to provide open space for public use and circulation.

Scale and Design Detail

Objective A high quality of design and construction of buildings of human scale which reflect the architectural and topographical characteristics of the HWDA and of the CBD.

5.5 Repealed.

5.6 The character of the HWDA should be reinforced through the control of urban design details such as massing, texture, materials, street furniture, and building lines.

5.6.1 The exterior architectural design of new buildings should be complementary to any adjacent ones of historic or architectural significance, or important to the character of Halifax. In such instances, the careful use of materials, colour, proportion, and the rhythm established by surface and structural elements should reinforce the similar aspects of the existing buildings.

5.6.2 For any development project, the design of the pedestrian movement system and associated open spaces within the HWDA shall show consideration of:

5.6.2.1 Freedom from pedestrian hazards, including the provision of ramps, curbs, and access for strollers, wheelchairs, etc.;

5.6.2.2 Easy access for the blind with recognizable paving textures;

5.6.2.3 Quiet and protected areas for resting and sheltering from inclement weather;

5.6.2.4 Protection for pedestrians from nearby vehicles;

5.6.2.5 Convenient drop-off and pick-up points for vehicles and taxis;

5.6.2.6 Sunlight penetration into pedestrian routes;

5.6.2.7 The design and location of all street furniture, including public information boards, seats, planters, lamp standards, trash holders, kiosks, public washrooms, and the coordination of all retail signs, building signs, directional signs, internally-illuminated signs, etc.;

5.6.2.8 Access for services, including cables, ducts, water lines, and eliminating overhead wires from public circulation and traffic areas.

Micro-Climate

Objective The creation of micro-climates acceptable to normal human activities in their immediate vicinity, through the form and positioning of public open spaces and of new development neighbouring such spaces.

5.7 The design of development projects should attempt to ensure that wind levels on outdoor pedestrian routes and on public open spaces will be acceptable (see Section III, Policy 7.5.1).

5.8 The design of development projects should attempt to ensure that there will be a minimal amount of shadow cast on the public open spaces (see Section III, Policy 7.6).

5.9 The creation of a physical environment in which pollution with respect to air, water and sound is controlled to ensure conditions that are acceptable and attractive to human activity (see Section III, Policy 7.7).

6. PUBLIC UTILITIES - INFRASTRUCTURE

Objective — The creation of an efficient and flexible underground infrastructure which will complement the existing and future systems of the CBD.

6.1 The City should require the undergrounding of electricity and telephone cables, etc., particularly in new developments, and in areas or streets of identified historic or architectural merit.

6.2 The amount of development shall be related to the capacity of existing and planned sewer, water and pollution control systems, not only of the HWDA, but also of the City, and shall not exceed the capacities of those systems.

6.3 Priority should be given to the identification, development, and incorporation of comprehensive servicing systems, particularly in the CBD area, which will make a positive contribution toward energy conservation.

7. PHASING OF DEVELOPMENT

Objective — That development be undertaken in accordance with a program which provides for early public use of the HWDA, and which minimizes disruption of activities and amenities in the area.

7.1 The amount of development of each type of use at any time during the development of the HWDA shall contribute to the objective of achieving mixed use of the area.

7.1.1 The provision of pedestrian routes down to and along the water's edge, in accordance with Policies 1.3 and 4.1.1 of this Section, should be provided as part of any interim or first stage of development.

7.1.2 Sites and buildings which are acquired by any public agency for the comprehensive development of the area should be upgraded for interim uses, where feasible, until such time as the site or building is required for development.

7.2 The phasing of development within the CBD sub-area should be coordinated with the plans for the provision of transportation, sewer, and water infrastructure.

SECTION V

SOUTH END AREA PLAN

OBJECTIVES AND POLICIES

CONTENT

The detailed objectives and policies for the South End shall be considered as part of this Municipal Development Plan, pursuant to Part II, Section II, Policy 2.5.2.

There is no description herein of the analytic underpinnings for the objectives and policies. The reader is referred to the official City of Halifax report entitled South End Detailed Area Plan (City of Halifax, 1981) for a description of the analysis and general premises of this Plan.

AREA DEFINITION

For the purposes of this Municipal Development Plan the South End Area includes all of the area bounded on the east by the Halifax Harbour, on the south and west by the Northwest Arm, and on the north by a line described as commencing from the Northwest Arm, commencing eastwardly along the rear property lines of the properties fronting on South Street (and excluding the Dalhousie Sports Complex) to Robie Street; northerly along Robie Street to University Avenue; eastwardly along University Avenue to Summer Street; northerly along Summer Street to Sackville Street; eastwardly along Sackville Street to South Park Street; thence southerly along South Park Street to Clyde Street; thence eastwardly along Clyde Street to Queen Street; thence northerly along Queen Street to Spring Garden Road; thence eastwardly along Spring Garden Road to Barrington Street; thence northerly along Barrington Street to Salter Street; thence eastwardly along Salter Street to Hollis Street; thence southerly along Hollis Street to Terminal Road; and then eastwardly along Terminal Road to the Halifax Harbour.

DEFINITION OF TERMS

Definition of certain terms used in this Section are as follows and have been included for clarification.

TERM	DEFINITION
This Plan	Means the South End Detailed Area Plan.
Interior Conversion of Existing Structures	Involves the rearrangement of internal space within a building to change its unit structure. Conversions may involve the addition of stairways or porches to provide access to new units created in the conversion process.
Family-type Housing Accommodation	Means a dwelling unit containing two or more bedrooms.
Neighbourhood Commercial Use	Means a grocery store or drug store.

1. RESIDENTIAL ENVIRONMENTS

Objective The maintenance of the South End as vital inner-city neighbourhoods with a broad mix of family and non-family housing accommodation.

1.1 Residential neighbourhoods shall be maintained and expanded by encouraging retention and rehabilitation of existing structures and units and by permitting new stock through infill and complementary redevelopment.

1.1.1 Several forms of infill housing shall be encouraged by the City as appropriate to the diverse physical characteristics of the individual districts and neighbourhoods.

1.1.1.1 Forms of infill housing which shall be permitted in the South End include:

(a) the interior conversion of existing structures;

(b) additions to existing structures, either through infilling between existing structures or additions to the rear of existing structures;

(c) building on vacant lots in the forms prescribed by this Section of the Plan; and

(d) low-rise housing within the densities prescribed by this Section of the Plan.

1.1.1.2 The Zoning Bylaw shall further define elements of scale, proportion, setback and use consistent with the policies of this Plan to ensure compatibility with the districts and neighbourhoods.

1.1.1.3 The Zoning Bylaw shall be amended to include height limitations for development in accordance with Policies 4.5.5, 7.2.2.1, 7.2.5.1, 7.5.2, 7.5.3, 7.5.4.1 and 7.8.2 and in accordance with the general intent for land-use control as defined by the policies of this Plan. Where there is not specific guidance by the policies of this Plan for specific height limitations, such limitations shall be included based on:

(i) the forms of development and distribution of land uses identified on the Generalized Future Land Use Map (Map 2) of this Plan;

(ii) the necessity to ensure that appropriate development of any given lot may be secured within the policies of this Plan; and

(iii) to fulfill the policy intent that quality residential, commercial, institutional and industrial environments are maintained and encouraged without undue impact on adjacent land use.

1.1.2 Residential redevelopment shall be permitted in the areas designated pursuant to this Plan and may be encouraged elsewhere provided it is consistent with the policies of this Plan.

1.2 Residential uses should be buffered from non-residential uses which are inappropriate to a stable, healthy, enjoyable living environment.

1.3 The City shall encourage the retention and creation of family-type housing accommodation in the South End.

1.3.1 In order to achieve these purposes, the City does hereby request that the Halifax School Board not effect any complete school closures in the South End without prior consultation with the Council of the City of Halifax, in order that the Council may first ascertain whether such closures may work to the detriment of the retention and creation of family-oriented neighbourhoods, and the nature of any prudent actions the Council may seek to take or direct in furthering its Plan.

1.3.2 In the preparation of Zoning Bylaw regulations to carry out the intent of this Plan, the City shall have regard to the following for family-type housing accommodation:

(i) that buildings containing family-type
dwelling units should provide, on the lot, both soft-surfaced and hard-surfaced open space areas for the exclusive use of the building's occupants;

(ii) that any new residential development containing more than fourteen family-type dwelling units provide adequate open space of appropriate size to accommodate the requirements of the residents, enclosed on all sides, landscaped and buffered; and

(iii) that such space be visible from the building.

1.4 For the purposes of this Plan, the City shall further define residential environments as comprising three categories:

(i) Low-Density Residential;
(ii) Medium-Density Residential; and
(iii) High-Density Residential.

1.4.1 Areas shown as "Low-Density Residential" on the Future Land Use Map (Map 2) of this Plan shall be regarded as areas for family-type housing accommodation. All new residential developments in these areas shall be detached single-family dwellings.

1.4.1.1 In low-density residential areas conversion of existing housing stock shall be permitted, provided that:

(i) a maximum number of dwelling units in any building shall be three;

(ii) family-type dwelling units shall be at least 1,000 square feet in floor area;

(iii) where the conversion is to two units (that is, adding an additional dwelling unit), one of the units shall be a family-type dwelling unit; and

(iv) where the conversion is to three units (that is, adding two units), two of the three units shall be family-type dwelling units.

1.4.2 Areas shown as Medium-Density Residential on the Future Land Use Map (Map 2) of this Plan shall be regarded as residential environments which provide a mix of family and non-family dwelling units in buildings of not more than four storeys. For such areas, the City shall amend its Zoning Bylaw in accordance with Policies 1.4.2 to 1.4.2.3 inclusive. In any building a minimum of 50 percent of the units shall be family-type dwelling units.

1.4.2.1 The forms of infill housing permitted in Medium-Density Residential Areas shall include:

(a) interior conversion;
(b) additions to existing structures;
(c) infilling between existing structures; and
(d) small-scale development on vacant lots.

1.4.2.2 In Medium-Density Residential areas, family-type dwelling units shall be a minimum of 800 square feet.

1.4.2.3 In Medium-Density Residential areas, the City shall not permit any building to be converted or added to such that more than 14 dwelling units are contained within the building.

1.4.3 Areas shown as High-Density Residential on the Future Land Use Map (Map 2) of this Plan shall be regarded as primarily non-family residential areas.

1.4.3.1 In High-Density Residential areas the City shall amend its Zoning Bylaw to require a minimum of one family-type housing unit for every two non-family units in each building and the minimum size for such family units shall be 800 square feet.

1.4.3.2 Repealed.

1.4.3.3 The City shall review the open space, angle control and density requirements of the Zoning Bylaw, and shall consider such alternative control mechanisms as lot coverage, ratio of floor area to site area, and setback requirements for siting of apartment buildings, provided that the intents of this Plan will be furthered.

1.4.3.4 Pursuant to Policy 1.4.3.3 and within six months of the approval of this Plan, the City shall confirm or amend, as appropriate, such controls.

1.5 The City shall have regard for the servicing of residential areas by public transit and shall, as necessary, make appropriate representations to the Metropolitan Transit Corporation for the purposes of promoting efficient and sufficient service.

1.6 The disposition of all City-owned land shall be in accordance with the policies of this Plan.

1.6.1 When disposing of City-owned lands in residential areas, consideration will be given first to recreation uses; second, to residential uses; and third, to any other use compatible with residential areas which meet the needs of the residents of the area.

1.7 The City shall revise its zoning bylaws to provide that, under the provisions of Section 33(2)(b) of the Planning Act, an apartment building existing on the date of adoption of this Plan destroyed by fire or otherwise, may be reconstructed to its original size and use, notwithstanding the provisions of the Zoning Bylaw which may apply to the property.

1.8 The City shall revise its zoning bylaws to provide that through-block development shall not be permitted for residential uses.

2. COMMERCIAL FACILITIES

Objective Provision for a variety of commercial uses in appropriate locations to serve the needs of the area and compatible with the needs of the City.

2.1 In the South End it is the City's intent to allow for neighbourhood shopping facilities and minor commercial facilities. Commercial uses shall not be encouraged other than in accordance with Part II, Sections II and III of the Municipal Development Plan.

2.2 Spot rezonings to permit neighbourhood shopping facilities pursuant to and consistent with Part II, Section II, Policy 3.1.1 of the Municipal Development Plan may be permitted.

2.2.1 Pursuant to Policies 2.1 and 2.2, the City shall amend its Zoning Bylaw to provide for a residential neighbourhood commercial zone which provides for a maximum of six residential units and one neighbourhood commercial use in any given development.

2.3 Minor-commercial uses shall be permitted in areas designated as "Commercial" or "Residential-Commercial Mix" on the Future Land Use Map (Map 2) of this Plan.

2.3.1 In areas designated as "Residential-Commercial Mix", the City shall permit the following uses:

(i) residential uses;

(ii) in new buildings, residential uses with minor commercial uses occupying the ground floor, provided that the commercial uses have independent and direct access to the street; and

(iii) in existing buildings, minor commercial uses and a mix of minor commercial and residential uses.

2.3.2 In areas designated as "Residential-Commercial Mix", the City shall not require provision of family-type housing accommodation in any building.

2.3.3 Pursuant to Policy 2.3.1, the City shall amend its Zoning Bylaw to provide for two residential commercial zones which would permit residential uses consistent with medium-density and high-density residential areas respectively, and each of which would permit minor commercial uses.

2.4 Minor commercial uses shall be permitted only in the areas so designated in the Plan and expansion of those areas may be permitted only through amendment to this Plan.

2.5 The City shall revise its Zoning Bylaw to provide that, under the provisions of Section 33(2)(b) of the Planning Act, the commercial uses existing at the date of adoption of this Plan in the areas designated as "High-Density Residential" or "Residential-Commercial", specifically those uses on the properties identified as 5450 Inglis Street, 990 Barrington Street, 5620 South Street, and 5230 Tobin Street, if destroyed by fire or otherwise, may be reconstructed to their original size and use, notwithstanding the provisions of the Zoning Bylaw which may apply to the properties.

2.6 Pursuant to Policy 2.5, the City may consider applications for building or site improvements for those commercial uses identified in Policy 2.5 above, notwithstanding the provisions of the Zoning Bylaw, under the provisions of Section 33(2)(b) of the Planning Act, provided that:

(i) the use existed on the date of adoption of this Plan;

(ii) the use is not proposed to change to another commercial use, and, in the case of service stations, accessory uses such as a carwash, or a retail use not directly associated with the servicing of vehicles, shall not be permitted;

(iii) the proposed building or site improvements do not have undue negative impacts on adjacent residential uses with respect to scale, traffic, noise and lighting; and

(iv) the intended improvement where such an improvement is of a technological nature is not inappropriate to location in a residential area by reason of possible nuisance or safety hazards to residents of the area.

2.6.1 Pursuant to Policy 2.6, the City may consider an application for a redevelopment or conversion of the existing building on the property identified as 5750 Spring Garden Road to a minor-commercial use under the provisions of Section 33(2)(b) of the Planning Act, and shall amend its Zoning Bylaw accordingly.

3. INDUSTRIES

Objective The encouragement of industrial uses in specified areas.

3.1 Industrial development shall be encouraged within the areas designated "Industrial" on Map 2 of this Plan.

3.1.1 For the purposes of this Plan, industrial development which is harbour-related shall be encouraged pursuant to Part II, Section II and Section IV of the Municipal Development Plan.

3.1.2 The City should seek to strengthen and support the designated industrial areas. In doing so, the City should consider any appropriate incentives proposed which would lead to the strengthening of the City's economy and tax base. Particular attention should be paid to the ways and means of encouraging high technology industries, such as communications, research, computer and electronics firms, which tend to have minimal negative external effects.

3.2 In developing zoning bylaw regulations to carry out the intent of this section of the Plan, or in reviewing development proposals where a discretionary decision of City Council is requested, the City shall have regard for the following:

(i) compatibility of industrial uses with adjacent residential areas through careful treatment of building siting and form, specifically through establishment of regulations regarding such matters as building height, setback, building proportion and scale, as are necessary for industrial uses; and

(ii) mitigation of negative impacts of industrial uses on adjacent residential areas where such impacts may arise from vehicular service requirements of industrial uses.

3.3 In designated industrial areas, uses accessory to industrial uses, such as commercial uses and commercial services, such as, but not limited to, restaurants which will not detract from the industrial areas, may be permitted by contract agreement, and the City shall amend its Zoning Bylaw accordingly.

4. INSTITUTIONS

Objective The encouragement of institutional uses in specified areas.

4.1 For the purposes of this Plan, the City shall consider institutional uses as including three types, as follows:

- (i) "Major Institutional Uses" serving primarily City-wide or regional needs;
- (ii) "Local Institutional Uses" serving primarily the adjacent community; and
- (iii) "Universities".

4.2 The City shall encourage existing institutional uses to remain in their present locations and shall encourage reuse of existing institutional areas where appropriate in preference to expanding areas where institutional uses may be permitted.

4.3 The development of major institutional uses shall be permitted in the areas designated "Institutional" on the Future Land Use Map (Map 2) of this Plan.

4.3.1 The City shall pay particular attention in major institutional areas to requirements for building scale, proportion and setback so as to ensure that compatibility with adjacent non-institutional areas is fostered.

4.4 Local institutional uses shall be permitted in areas designated "Commercial" or "Residential/ Commercial" on the Future Land Use Map (Map 2) of this Plan.

4.5 "University" development shall be restricted to the areas designated for such uses on the Future Land Use Map (Map 2) of this Plan. The City shall amend its Zoning Bylaw to carry out the intent of this policy and Policies 4.5.1 and 4.5.2 below.

4.5.1 Where university development is proposed adjacent to residential areas, the City shall ensure that such development maintains the scale of residential development, and is compatible with the proportion, setback and building lines of residential development.

4.5.2 Major academic and cultural facilities, such as, but not limited to, laboratories, lecture halls, libraries, theatres and student centres, shall be encouraged to locate within the interior of designated University areas, as defined in Policies 7.2.1 and 7.2.1.1 of this Plan.

4.5.3 The City shall require the orderly development of University areas and shall not consider rezoning applications which would permit an expansion of the boundaries of University areas until such time as potential building sites within the boundaries of university areas have been used.

4.5.4 Notwithstanding Policy 4.5 above, the City may consider an application for rezoning of the property known as the Halifax Infirmary to permit University uses.

4.5.5 Pursuant to Policies 4.5.1 and 4.5.2, the City shall amend its Zoning Bylaw to provide for two University Zones: a high-density zone which would allow all university uses, and a low-density zone with a height limitation of 35 feet or four storeys which would allow only university uses which would have minimal impacts on adjacent residential uses.

4.5.5.1 Pursuant to Policy 4.5.5, the City shall apply such zones as follows:

- (i) the low-density zone to the periphery of the St. Mary's University Campus and to the entirety of the Pine Hill Divinity College Campus; and
- (ii) the high-density zone to the interior of the St. Mary's University Campus and to the entirety of the Technical University of Nova Scotia Campus.

5. HERITAGE RESOURCES

5.1 The City shall continue to seek the retention, preservation, rehabilitation and restoration of areas, streetscapes, buildings, features and spaces in the South End area consonant with the City's general policy stance on heritage preservation (See Section II, Policy Set 6).

6. RECREATION

Objective The maintenance and improvement of existing recreation facilities and the development of new active and passive open-space areas to serve the residents of the South End.

6.1 The City shall ensure that existing open space areas are maintained and improved, where necessary, for the enjoyment of residents in the South End or the City as a whole, as appropriate.

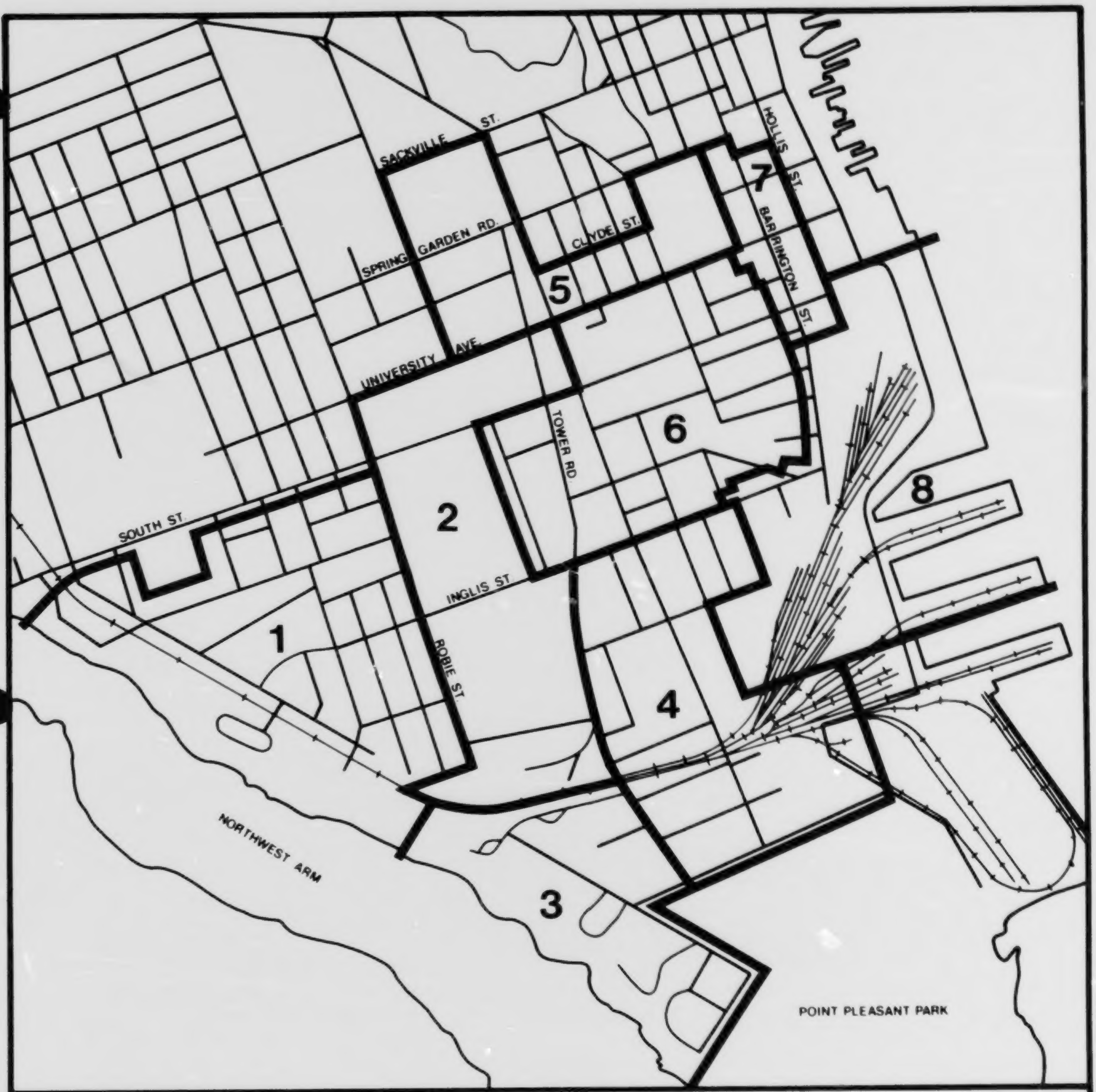
6.2 The City shall ensure that any new public open-space areas in the South End abut public streets in order that they may be more accessible, easily viewed and supervised, and to enhance their perception as public spaces.

6.2.1 The City shall endeavour to provide additional open-space through such means as the conversion of publicly-owned land to open space; the conversion of institutionally-owned land to open space through leasing arrangements or purchase; and provision of funds in the City's budget for land acquisition.

6.2.2 The City should investigate the closure of local streets and lanes which have minimal significance for the movement or storage of vehicles for use as neighbourhood parks.

6.3 The City shall continue to maintain the character of the Public Gardens as a major open-space area, and shall establish development standards which would minimize shadow-casting on the Public Gardens. In this regard, the City shall be guided by the policies for District V of this Plan.

6.4 Should the Sir Frederick Fraser School be relocated, the City shall endeavour to secure ownership of the site, and shall develop said site for a public park including giving consideration to an extension of Victoria Park to this site.


SACKVILLE ST.
HOLLIS ST.
7
BARRINGTON ST.
SPRING GARDEN RD.
CLYDE ST.
5
UNIVERSITY AVE.
TOWER RD.
6
8
2
SOUTH ST.
INGLIS ST.
ROBIE ST.
1
4
NORTHWEST ARM
3
POINT PLEASANT PARK

Planning Districts

1

South End Area Plan
City of Halifax

1000 Ft

Correct as of 26 October, 1989.

KLW 06.87

7. DISTRICT POLICIES

District Definition For the purposes of setting out the detailed district policies of this Plan, the South End is divided into eight districts as shown on Map 1.

7.1 DISTRICT I

7.1.1 To ensure that adjacent institutional uses do not encroach upon the residential character of District I, the City shall not permit the expansion of Dalhousie University and Saint Mary's University into District I.

7.2 DISTRICT II

7.2.1 In preparing zoning bylaw regulations to carry out the intent of this Plan, the City shall have regard to the following with respect to Saint Mary's University:

(i) that university uses which generate substantial activity such as, but not limited to, theatres, auditoriums, laboratories and student union buildings be restricted to the interior of the campus; and

(ii) that University uses adjacent to residential areas at the periphery of the campus be limited as to intensity of use, scale, and setback so as to be compatible with and minimize negative impacts on adjacent residential development.

7.2.1.1 The City may consider an application for a university use at the periphery of the Saint Mary's University campus under the provisions of Section 33(2)(b) of the Planning Act, where such an application proposes a use, building height, and/or setback not permitted by the Zoning Bylaw and, in consideration of such application by City Council, have regard for mitigation of negative impacts on and compatibility with adjacent residential areas.

7.2.2 The most appropriate reuse of the parking lot west of the Children's Hospital on South Street and Robie Street shall be considered by the City to be institutional.

7.2.2.1 The City shall amend its Zoning Bylaw to require that the maximum height of any development on the parking lot shall be 80 feet or eight storeys, and a setback of 20 feet shall be required from any street line.

7.2.3 Should the City decide to construct a new fire station for the southern part of the Peninsula to replace Fire Station No. 3, priority consideration shall be given to the existing site, and, where appropriate, in conjunction with City-owned lands to the east.

7.2.4 In the disposition of the Halifax Civic Hospital, Welfare Office No. 1, or Fire Station No. 3, the City shall give priority consideration to major institutional uses which are functionally related to the medical and research facilities currently located on or adjacent to University Avenue. If such a use is deemed inappropriate by the City, secondary consideration shall be given to local institutional uses, specialized residential uses or a recreational facility or area.

7.2.5 The City shall amend its Zoning Bylaw to require that any addition, alteration or replacement of the Sir Frederick Fraser School shall maintain the same setback from University Avenue, a 40 foot setback along South Park from University Avenue, a 40 foot setback along South Park Street, and a 30 foot setback along South Street and Tower Road.

7.2.5.1 The City shall amend its Zoning Bylaw to require that the height of any new developments on this block shall be restricted to 55 feet or five storeys, or the existing height of the Sir Frederick Fraser School, whichever is greater.

7.2.6 The City shall amend its Zoning Bylaw to zone the Gorsebrook lands in accordance with the medium-density residential land-use category of this Plan, and the City may consider applications for development for residential uses for the Gorsebrook lands, under the provisions of Section 33(2)(b) of the Planning Act and, in so doing, the City shall have regard for:

(i) the relationship between any new building and Gorsebrook Field to the south and west in terms of setbacks and appropriate transition of the open space;

(ii) that portion of Gorsebrook Field recommended for development as medium-density housing be at a scale compatible with adjacent residential development to the east on Wellington Street;

(iii) that priority consideration be given for rowhousing; and

(iv) that high-density residential uses may be permitted, provided such uses front on South Street.

7.2.6.1 Pursuant to Policy 7.2.6 above, the City may further consider applications for development for institutional uses for said lands under the provisions of Section 33(2)(b) of the Planning Act, and in so doing, the City shall have regard for:

(i) the relationship between any new institutional building to adjacent land uses in terms of setbacks and appropriate transitions of the open space;

(ii) that a portion of the lands be dedicated for park use associated with Gorsebrook Field; and

(iii) that the City would consider an application which included a recreation complex.

7.3 District III

7.3.1 The City shall zone Pine Hill Divinity College in accordance with the low-density university use provision, as set out in Policy 7.2.1 above for Saint Mary's University.

7.3.1.1 The City may consider an application under the provisions of Section 33(2)(b) of the Planning Act for major university uses on the Pine Hill Divinity College Campus and, in so doing, shall have regard for:

(i) the compatibility of said use if located in a new building with adjacent residential areas, in terms of scale, setbacks, and building mass;

(ii) provision of appropriate side yards for any new building where the building adjoins residential properties;

(iii) access and egress provisions to the public street system; and

(iv) the degree to which the characteristics of the proposed use are consistent with maintenance of the quality of the surrounding residential environment in terms of level of activity, hours of activity, traffic generation and such other considerations as may be determined from a land-use standpoint to be relevant.

7.4 District IV

THERE ARE NO DISTRICT POLICIES FOR DISTRICT IV

7.5 District V

7.5.1 The City shall encourage continuation of the diversity of land uses currently located in District V, which include university, institutional, open space, commercial and residential uses.

7.5.2 In the area bounded by College Street, Summer Street, Spring Garden Road, and South Park Street, the City shall amend its Zoning Bylaw to establish height precincts to ensure the preservation of the character of the Public Gardens as an open space area.

7.5.2.1 The City may consider an application under the provisions of Section 33(2)(b) of the Planning Act for a development which would exceed the height precinct so established through Policy 7.5.2 above, and, in so doing, the City shall have regard for the amount of shadow cast on the Public Gardens and the potential negative impacts which may arise therefrom.

7.5.3 The City shall amend its Zoning Bylaw to require that new university development on Morris Street between Barrington and Queen Streets or Barrington Street between Morris Street and Spring Garden Road shall not exceed five storeys or 50 feet in height. In the remainder of the Technical University of Nova Scotia campus area, the Zoning Bylaw shall permit developments of up to 70 feet in height or seven storeys.

7.5.4 The City shall zone the parking lot at the southeast corner of Queen and Spring Garden Road in accordance with the "Residential-Commercial" land-use designation of this Plan, and shall permit the inclusion of university uses in the development of said parking lot under the provisions of Section 33(2)(b) of the Planning Act, provided that said uses do not exceed 20 percent of the gross square footage of the development, and provided that said uses are below any residential uses contained in a building.

7.5.4.1 The City shall, on said parking lot:

(i) amend its Zoning Bylaw to permit a maximum building height of eight storeys or 70 feet;

(ii) encourage the retention of mature trees; and

(iii) amend its Zoning Bylaw to require that any new development be set back a minimum of 40 feet from the street line along Spring Garden Road.

7.5.5 Notwithstanding the residential/commercial designation at the intersection of Queen Street and Morris Street a residential/ commercial development may be considered only by development agreement which meets the following requirements:

(a) The provisions of the high density residential/mixed commercial or the residential/minor commercial zones in respect to permitted uses, lot area, front and rear yards and parking;

(b) Conditions sufficient to ensure to Council's satisfaction compatibility to adjacent residential uses and streetscapes in respect to scale and architectural design;

(c) No development shall exceed 35 feet in height; and

(d) Such other land use considerations as Council may deem necessary based on the policy guidance of this plan.

7.6 District VI

7.6.1 Notwithstanding the residential/commercial designation at the intersection of Queen Street and Morris Street a residential/ commercial development may be considered only by development agreement which meets the following requirements:

(a) The provisions of the high density residential/mixed commercial or the residential/minor commercial zones in respect to permitted uses, lot area, front and rear yards and parking;

(b) Conditions sufficient to ensure to Council's satisfaction compatibility to adjacent residential uses and streetscapes in respect to scale and architectural design;

(c) No development shall exceed 35 feet in height; and

(d) such other land use considerations as Council may deem necessary based on the policy guidance of this plan.

7.6.2 For those properties designated "High Density Residential" fronting on South Street between the Gorsebrook lands and Tower Road, Council may permit, by development agreement, an office of a nonprofit medical or medical and rehabilitative organization to be located at or below the ground floor of a residential structure.

7.6.3 Proposals under Policy 7.6.2 shall be evaluated against the following criteria:

(a) that parking is adequate for both the residential use and the office use;

(b) that adjacent residential uses are not unduly effected as a result of hours of operation, location, parking, and lighting.

7.7 District VII

7.7.1 The City shall amend its Zoning Bylaw to require that any new development on the north side of Morris Street between Barrington and Hollis Streets shall be set back a minimum of 15 feet from the street line, provided that the Morris Street street line is amended to reflect the existing travelway and sidewalk area.

7.7.2 In addressing the issue of pedestrian movement within the context of the City planning process for the Central Business District, the City shall have regard for the creation of linkages between the Central Business District and the Hotel Nova Scotian/train station along both Barrington Street and Hollis Street, as appropriate.

7.7.2.1 The City shall, through its capital budget review process, give consideration to the upgrading of sidewalks, street furniture and landscaping along Barrington Street and Hollis Street to enhance its visual appearance, and to ensure the comfort and safety of pedestrians.

7.7.3 Any new development along Barrington Street and Hollis Street between Morris Street and South Street shall not be permitted to set back further than ten feet from the streetscape. In order to effect this policy, the City shall permit the modification of the angular plane controls of the Zoning Bylaw, where appropriate, under the provisions of Section 33(2)(b) of the Planning Act.

7.8 District VIII

7.8.1 Any change in use of the lands of the Canadian National Railway shall be the subject of a detailed study by the City. Such study shall include consideration of any change in use within the land use management framework established by the South End Detailed Area Plan, and within the context of the general transportation policy framework of the City of Halifax.

7.8.2 Within District VIII, in areas zoned as non-harbour-related industrial, new industrial development shall not exceed 35 feet in height or three storeys, and the City shall amend its Zoning Bylaw to accomplish this intent.

7.8.2.1 Pursuant to Policy 7.8.2 above, the City may consider applications for industrial development where such development exceeds the height prescribed under the provisions of Section 33(2)(b) of the Planning Act and, in so doing, the City shall have regard for:

(i) consistency with Policy Set 3 of this Plan; and

(ii) avoidance of significant shadow effects on adjacent residential areas.

7.8.2.2 Pursuant to Policy 7.8.2 above, the City may consider applications for residential development where the proposed location is adjacent to existing residential uses under the provisions of Section 33(2)(b), and in so doing the City shall consider as guidelines:

(i) that the height of the proposed development is limited to 50 feet or six storeys;

(ii) that family-type accommodation shall not be a requirement for unit mix in such development; and

(iii) that there be adequate buffering from industrial uses which may adjoin the property on which the development is proposed.

7.8.3 Where an industrial use abuts a residential zone, the City shall amend its Zoning Bylaw to require a minimum setback of 25 feet from the street line, or from the residential zone line, as appropriate.

7.8.4 The City shall seek the full cooperation of proprietors of industrial enterprises in establishing voluntary programmes to improve the visual appearance of industries in the South End.

7.8.5 The City shall develop a zone exclusively for hotels and shall apply such zone to the Hotel Nova Scotian property accordingly.

8. TRANSPORTATION

Objective Maintenance of the existing transportation system in the South End with an emphasis on balancing transportation requirements of various land uses so as to maintain the quality of all types of environments in the area.

8.1 The City shall carry out a study of the transportation network within the South End area as part of a study of the transportation system for the Peninsula, and the terms of reference for such study shall include the following:

(i) a review of the appropriateness of the Morris Street, South Street, and Robie Street streetlines with a view to lifting said streetlines unless definitive need for a widened street in this area is determined;

(ii) a review of the traffic circulation in the immediate vicinity of McLean Street with a view to reducing the degree to which truck traffic presents a conflict;

(iii) a review of the Harvey/Church Street traffic situation;

(iv) attention to the requirement for pedestrian circulation, particularly as it relates to the location of community facilities;

(v) a review of truck routes in or at the edges of the area; and

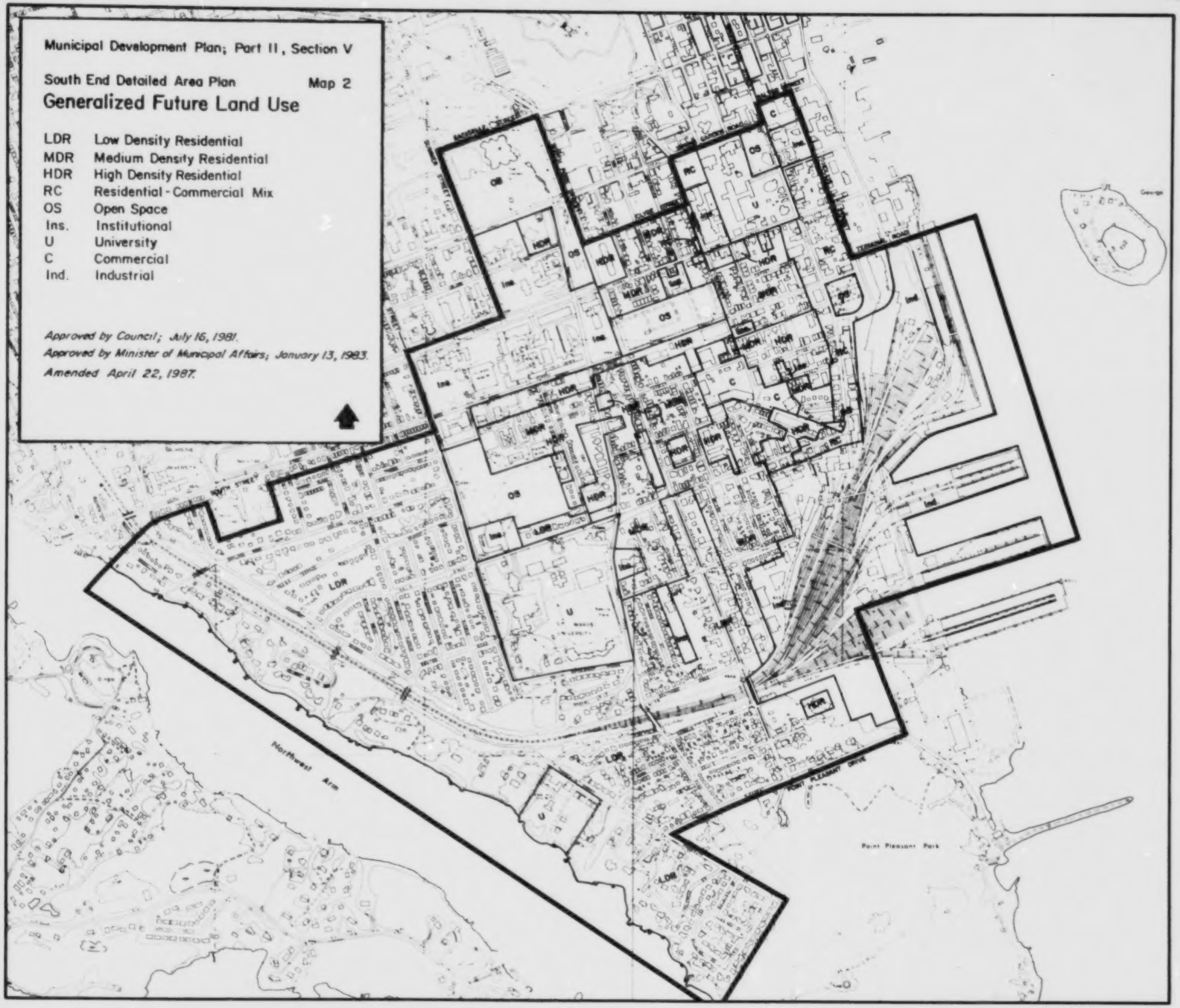
(vi) attention to the context provided by the City's overall transportation policies as set out in Part II, Section II of the Municipal Development Plan.

8.2 In reviewing applications for major non-residential uses, the City shall pay particular attention to the proposed access and egress locations to City streets for such applications.

9. GENERALIZED FUTURE LAND USE MAP

9.1 The Generalized Future Land Use Map (Map 2) shall be considered as the expression of intent of the City of Halifax for a future land use pattern based on the policies outlined in this Plan.

9.2 The areas of future land use shown on the Generalized Future Land Use Map shall be determined primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply, as appropriate, but shall be subordinate to the primary objectives and policies.



Municipal Development Plan; Part II, Section V

South End Detailed Area Plan — Map 2

Generalized Future Land Use

LDR	Low Density Residential
MDR	Medium Density Residential
HDR	High Density Residential
RC	Residential - Commercial Mix
OS	Open Space
Ins.	Institutional
U	University
C	Commercial
Ind.	Industrial

Approved by Council; July 16, 1981.

Approved by Minister of Municipal Affairs; January 13, 1983.

Amended April 22, 1987.

LDR
MDR
HDR
RC
OS
Ins.
U
C
Ind.
Northwest Arm
Point Pleasant Park
Point Pleasant Drive
South Street
George

Reduction of Original

SECTION VI

PENINSULA CENTRE AREA PLAN

OBJECTIVES AND POLICIES

CONTEXT

The detailed objectives and policies for Peninsula Centre shall be considered as part of this Municipal Development Plan, pursuant to Part II, Section II, Policy 2.5.2.

There is no description herein of the analytic underpinnings for the objectives and policies. The reader is referred to the official City of Halifax report entitled Peninsula Centre Detailed Area Plan (City of Halifax, 1981) for a description of the analysis and general premises of this Plan.

AREA DEFINITION

For the purpose of this Municipal Development Plan, the Peninsula Centre Area shall be as set out in Map 1 of this Section VI.

DEFINITION OF TERMS

Definitions of certain terms used in this Section are as follows and have been included for clarification.

TERM	DEFINITION
This Plan	Means the Peninsula Centre Detailed Area Plan.
Interior Conversion of Existing Structures	Involves the rearrangement of internal space within a building to change its unit structure. Conversions may involve the addition of stairways or porches to provide access to new units created in the conversion process.
Family-Type Housing Accommodation	Means a dwelling unit containing two or more bedrooms.

DEFINITION OF TERMS
(Continued)

Neighbourhood Convenience Store	Means a grocery store or a drug store.

1. RESIDENTIAL ENVIRONMENTS

Objective The maintenance of Peninsula Centre as a predominantly low-rise residential neighbourhood with an emphasis on housing accommodation for family households.

1.1 In the Peninsula Centre Area, residential development shall occur through retention and rehabilitation of housing stock, and provisions shall be made for infill and, in selected areas, redevelopment.

1.1.1 The City shall encourage the retention and creation of dwelling units suitable for families with children.

1.1.2 For the purposes of this Plan, a single definition of infill housing shall not be employed. The diverse physical and social elements of residential areas should be respected through the selective application of several forms of compatible infill housing.

1.1.3 The forms of infill housing permitted in Peninsula Centre shall include:

(a) interior conversion;
(b) additions to existing structures;
(c) filling-in-between existing buildings; and
(d) building on vacant lots.

1.1.4 For the purposes of this Plan, the concept of compatibility shall be deemed to require that infill housing projects are compatible with and enhance the existing development context of a neighbourhood. The City shall use as a guideline in considering rezonings, zoning amendments or contract agreements the key principle of not significantly changing the character of an area when reviewing infill housing proposals.

1.1.5 Without limiting the generality of Policy 1.1.4 above, the City shall, in reviewing proposals for compatibility with the surrounding area, have regard for the relationship of the proposal to the area in terms of the following:

(a) land use;
(b) scale and height;
(c) population density;
(d) lot size, lot frontage, setback, lot coverage and open space; and
(e) service requirements, including parking.

1.1.6 Further to Policy 1.1.5 above, existing development standards will be assessed against their capacity to achieve the policies of this Detailed Area Plan with respect to infill housing and with respect to preservation of existing housing. Existing development standards will be amended as necessary to implement the policies of this Plan.

1.1.7 Further to Policy 1.1.6 above, open space and landscaping will be given special attention to ensure that amenity space in new development projects is useable and to foster attractive residential environments which address the needs of a variety of household types.

1.1.8 The Zoning Bylaw shall be amended to include height limitations for development in accordance with Policies 4.6.3, 4.7.2, 8.1.1 and 8.4.1 and in accordance with the general intent for land-use control as defined by the policies of this Plan. Where there is not specific guidance by the policies of this Plan for specific height limitations, such limitations shall be included based on:

(i) the forms of development and distribution of land use identified on the Generalized Future Land Use Map (Map 2) of this Plan;

(ii) the necessity to ensure that appropriate development of any given lot may be secured within the policies of this Plan; and

(iii) to fulfill the policy intent that quality residential, commercial, institutional and industrial environments are maintained and encouraged without undue impact on adjacent land uses.

1.2 The City shall encourage the retention and creation of family-type housing in Peninsula Centre.

1.2.1 Family-type housing units should be provided with private open space at grade comprising both soft-surfaced and hard-surfaced areas for the exclusive use of occupants of the building in which said family units are located.

1.2.2 Any new residential development containing more than twenty family-type dwelling units should provide a children's play area enclosed on all four sides, landscaped and buffered appropriately, of not less than 2,000 square feet. Such play areas shall be required to be located on the south or west side of the building and be located in such a manner as to be visible from the building.

1.2.3 In reviewing applications for rezonings, zoning amendments, or contract agreements, the City shall be guided by Policies 1.2.4 and 1.2.5 with respect to family-type housing units.

1.2.4 Residential development shall be planned to ensure maximum buffering between children's activity areas and parking areas, streets and other similar safety hazards.

1.2.5 For development applications which include family-type housing units, the City shall have regard for the provision of opportunities for visual surveillance and supervision of children's play areas through site designs which maximize the views from windows in the building and from public areas to children's activity areas.

1.3 For the purposes of this Plan, the City shall further define residential environments as comprising three categories:

(i) low-density residential;
(ii) medium-density residential; and
(iii) high-density residential.

1.4 All new developments in areas designated as low-density residential shall be single-family dwellings, except as otherwise provided by Policies 1.8, 2.1 and 6.1.1 of this Plan.

1.4.1 The City shall, for areas designated as low-density residential on the Future Land Use Map of this Plan, amend its Zoning Bylaw to provide for interior conversions only of any residential building in existence on the date of adoption of this Plan to convert to a maximum of three units, provided that any such unit is a minimum of 1,000 square feet, that the building does not increase in height or volume, and that one parking space per unit is provided with a requirement that there shall be no parking in the front yard.

1.5 Areas shown as medium-density residential on the Future Land Use Map of this Plan shall be regarded as family-oriented neighbourhoods which provide a mix of predominantly family housing units in single-family dwellings, semi-detached dwellings, duplexes, and, where appropriate, rowhousing and buildings which, through conversions or additions, provide apartment accommodation.

1.5.1 In areas designated as medium-density residential areas, two family-type housing units shall be required for each non-family-type housing unit in each building, except as otherwise provided for by Policies 1.5.4 and 1.7 of this Plan.

1.5.2 For those areas designated as medium-density residential on the Future Land Use Map of this Plan, the City shall amend its zoning bylaws to permit interior conversions of or additions to existing buildings to permit up to a maximum of four dwelling units, provided that two family-type dwelling units are provided for each non-family-type dwelling unit, and provided that:

(a) this provision shall apply only to buildings existing on the date of adoption of this Bylaw;

(b) one unit shall be permitted where the lot size is less than 3,300 square feet; two units where the lot size is between 3,300 and 5,000 square feet; three units where the lot size is between 5,000 and 6,000 square feet; and a maximum of four units where the lot size is greater than 6,000 square feet;

(c) 300 square feet of open space shall be provided per family-type unit and 50 square feet of open space per non-family-type unit;

(d) for buildings with more than two units, one parking space shall be provided per family-type unit and one parking space shall be provided for every two non-family-type units;

(e) no parking shall be permitted in front yards; and

(f) no part of the addition, if any, shall exceed the height of the existing structure.

1.5.3 For areas designated as medium-density residential on the Future Land Use Map of this Plan, the City shall amend its zoning bylaws, specifically the standards for lot size and lot frontage, to accord with the characteristic measurements of a lot in the area.

1.5.4 The City shall, for the properties abutting Coburg Road between Oxford and Spring Garden Road, and the properties abutting Robie Street between Pepperell Street and South Street, which are designated as medium-density residential, amend its zoning bylaws to permit interior conversions only of existing buildings, provided that any such dwelling units created in such conversions shall be a minimum of 600 square feet, and provided that there is no change in height or volume of such buildings.

1.5.4.1 The City shall not permit further encroachment of non-residential uses in said areas, except as provided for by Policy 2.1 of this Plan.

1.6 Buildings in areas shown as high-density residential on the Future Land Use Map of this Plan shall be required to provide, at a minimum, a mix of family and non-family type dwelling units at a ratio of 1:2.

1.7 Notwithstanding the policies above, where a residential building is proposed to contain a maximum of two units, only one unit shall be required to be a family-type unit.

1.8 In areas designated as low-density residential or medium-density residential, the City shall consider, under the provisions of Section 33(2)(b) of the Planning Act (contract zoning provisions), applications for rowhousing and, as part of that consideration, the City shall require the following:

(i) a minimum site size of 10,000 square feet;

(ii) no demolition of housing stock in existence on the date of adoption of this Plan;

(iii) conformance in all other respects to the rowhousing provisions in the Zoning Bylaw;

(iv) frontage on a public street;

(v) a minimum unit size of 1,500 square feet;

(vi) a distance of 15 feet between any rowhousing unit and any existing buildings; and

(vii) a side yard of ten feet at each end of the development.

1.9 In reviewing applications for rezonings, zoning amendments or contract agreements in areas where the Plan provides for a change in use from non-residential uses to residential uses, the City shall be guided by Policies 1.9.1 to 1.9.6 of this Plan.

1.9.1 Public expenditure for new services which may be required for development at the time of application shall not exceed those currently provided for within the City's capital budget.

1.9.2 The City shall ensure that any trees or other natural vegetation or open spaces affected by the proposed development shall be preserved where possible.

1.9.3 The City shall have regard for the adequacy of outdoor lighting in public and private areas of the development and the sight lines to those areas from all parts of the development.

1.9.4 The City shall have regard for the proximity of the development to recreational facilities including neighbourhood parks, district parks and regional parks. In addition, the availability of informal paths of an active recreational setting within a development shall be assessed and encouraged where appropriate.

1.9.5 The City shall have regard for the serviceability of the development by public transit and give due consideration to any changes in the routing of public transit vehicles or public transit stops to accommodate said development, and, where appropriate, it shall take action through representations to the regional transit authority.

1.9.6 The City shall have regard for the creation of pedestrian linkages between the proposed development, neighbourhood commercial uses, and recreational facilities. Where possible, the City shall encourage improved pedestrian linkages through sidewalk renewal, improved lighting, and appropriate street furniture.

1.10 The City shall consider any disposition of lands which it owns in Peninsula Centre within the policy framework established by this Plan.

1.10.1 When disposing of City-owned land, the City shall give priority consideration to residential uses unless said use would be in conflict with the policies of this Plan.

1.10.2 If, by the policies of this Plan, a residential use is inappropriate, the City shall have regard for the areas designated by this Plan for institutional, commercial and/or university areas, and shall seek to promote uses compatible with said land use designations.

1.11 The City shall pay particular attention in developing appropriate zoning regulations to carry out the policies of this Plan, and in reviewing applications for rezonings, zoning amendments or contract agreements for areas of transition between residential and non-residential uses, to the relationship between such uses, and shall attempt to minimize any negative impacts which may potentially occur.

1.12 The City shall revise its zoning bylaws to provide that, under the provisions of Section 33(2)(b) of the Planning Act, any residential building existing on the date of adoption of this Plan destroyed by fire or otherwise, may be reconstructed to its original size and use, notwithstanding the provisions of the zoning bylaw which may apply to the property.

1.13 The City shall not seek amendments to legislation of the Province of Nova Scotia respecting Rosebank and Norwood Subdivisions.

2. COMMERCIAL FACILITIES

Objective The provision for a variety of neighbourhood convenience stores and minor commercial uses in convenient and accessible locations which do not adversely affect adjacent residential uses.

2.1 Neighbourhood convenience stores shall require that a limited distance be travelled and should be located within a residential neighbourhood so as to minimize the use of private automobiles to reach them. They should be located at the intersection of local streets, and should occupy only the ground floor of a building. The floor area of grocery stores shall not exceed 1,000 square feet, and the floor area of drug stores shall not exceed 1,400 square feet.

2.1.1 The City shall not predesignate the location of new neighbourhood convenience stores and shall approve such convenience stores only through a rezoning process to a neighbourhood commercial zone.

2.1.2 Pursuant to Policies 2.1 and 2.1.1, the City shall amend its Zoning Bylaw to provide for a residential neighbourhood commercial zone which provides for a maximum of four residential units and one neighbourhood commercial use in any given development.

2.2 Minor commercial centres should service several neighbourhoods and may include a variety of retail, professional and local office uses in accordance with Part II, Section II, Policy 3.1.2 of the Municipal Development Plan. Minor commercial uses shall be permitted in areas designated as commercial on the Future Land Use Map of this Plan.

2.2.1 In areas east of Robie Street and north of Spring Garden Road designated as high-density residential or in areas designated as residential-commercial mix on the Future Land Use Map of this Plan, the City may permit the ground floor of buildings to be occupied by office uses, in accordance with Policy 8.1.3 of this Plan.

2.2.2 The City shall deny rezonings to permit a minor commercial use in areas not designated as commercial on the Future Land Use Map of this Plan.

2.3 Commercial uses of a City-wide or regional nature shall not be permitted in Peninsula Centre in accordance with Part II, Section II, Policies 3.2 and 3.2.1 of the Municipal Development Plan.

2.4 The Land Use Bylaw shall include a zone for the property of Ben's Bakery Limited on the south and north side of Pepperell Street which is presently in use as a bakery, such zone to:

(i) provide for a bakery as a permitted use, including accessory uses thereto;

(ii) provide for the present use to continue;

(iii) require a height limit of 33 feet or three storeys; and

(iv) provide adequate parking.

2.5 If at any time Ben's Limited or its successors finds it necessary to relocate elsewhere, the City shall undertake, in cooperation with the owner, to examine alternative residential, commercial and mixed use redevelopment options, including associated Plan and Zoning Bylaw amendments, for re-use of the property identified in Policy 2.4 above within the context of a requirement to properly integrate new uses with adjacent residential areas, provided that adequate notice is given to the City.

3. INSTITUTIONS

Objective The provision of local institutional uses to serve the needs of the residents of Peninsula Centre and adjacent residential areas, and the containment of major institutional uses of a City-wide, regional or provincial nature within prespecified boundaries.

3.1 The development of institutional uses shall be restricted to the area designated for such uses on the Future Land Use Map of this Plan.

3.1.1 The City shall, in considering rezoning applications for institutional uses in designated areas, normally not approve major institutional uses such as hospitals and such institutional uses as clubs where the specific use requested is not restricted to a use which is primarily recreational in nature. The City in considering such applications shall have regard for impacts on adjacent residential areas, other institutional uses and whether the use proposed is appropriate in terms of the intents of this Plan.

3.1.2 The City shall ensure that the built form of major institutional developments is compatible with the scale, proportion and setback of adjacent non-institutional uses.

3.1.3 Facilities related to major institutional uses shall not be permitted to locate in residential areas. Such facilities shall be required to locate within the areas designated for said uses.

3.2 Institutional uses of a local nature, such as, but not limited to, schools and places of worship shall be encouraged to remain in their present locations.

3.2.1 The City shall give priority consideration to re-use of properties previously used for local institutional uses to uses which are neighbourhood-serving and which include medium-density residential, recreation, community facilities and/or private non-profit activities.

3.3 For that area located generally between Coburg Road, South Street, Oxford Street and the railway cuts designated as "Institutional", the City may consider applications for rezoning to low-density university use.

3.4 The City may, for the property identified as Civic Number 1350 Oxford Street, consider an application for high-density residential development, pursuant to the authority of Section 33(2)(b) of the Planning Act. As part of that consideration, the City shall require conformity with the provisions of the Zoning Bylaw with respect to height.

4. UNIVERSITIES

Objective The continued development of university areas as a focal point for academic, social and cultural activities, and the containment of university uses within prespecified boundaries.

4.1 University uses shall be restricted to the areas designated for such uses on the Future Land Use Map of this Plan, and within such areas university uses shall be encouraged.

4.2 The City shall require the orderly development of areas designated "University" and unless extraordinary circumstances warrant changes, the City should not consider amendments to this Plan which would allow expansion of said areas until such time as all potential building sites within said areas have been used.

4.3 Where a university prepares a master plan for its campus, the City shall request participation in that process and shall respond to such plans within the context of the policies of this Plan.

4.4 The City shall amend its Zoning Bylaw to require that development at the interface of residential areas maintains the scale of existing residential areas and is compatible with the proportion, setback and building lines of those areas.

4.5 Pursuant to Policy 4.4 above, the City shall amend its Zoning Bylaw to provide for two university zones: a high-density zone which would allow all university uses, and a low-density zone which would allow only university uses which would have minimal impacts on adjacent residential uses.

4.6 In areas which are zoned for high-density university use, pursuant to the policies of this Plan, the City shall allow intense university uses and university uses which generate a significant level of activity, except as provided for by Policy Set 4.6 herein.

4.6.1 The City shall amend its Zoning Bylaw to permit intense university uses at the periphery of university areas where they front on City streets, as set out in Policies 4.6.2 and 4.6.4 below, provided that design and circulation elements of any proposal are sufficient so as to ensure that potential negative impacts on adjacent residential areas are minimized, and provided that the scale and setback of buildings is appropriately regulated.

4.6.2 In any area designated as university on the Future Land Use Map of this Plan, the City shall amend its Zoning Bylaws to require a setback along South Street from LeMarchant Street to Oxford Street, along Oxford Street from South Street to Coburg Road, and along Coburg Road from Oxford Street to LeMarchant Street of a minimum of 50 feet.

4.6.3 Pursuant to Policy 4.6.2 above, the Zoning Bylaw shall be amended to provide that any development which is located within the area designated as university and which borders the 50 foot setback requirement shall be restricted to a height of 55 feet or five storeys, such height limitation to be maintained to a distance from the street line of 75 feet for all streets except Coburg Road, where the distance shall be required to be 100 feet and the buildings should be required to include facade articulation elements for those facades which face City streets.

4.6.3.1 The City shall amend its Zoning Bylaw to permit a structure to a maximum height of five feet within the setback area defined in Policy 4.6.3 above, provided such structure is set back a minimum of 15 feet from the street line.

4.6.4 The City shall amend its Zoning Bylaw to permit intense university uses to the street line along University Avenue west of Robie Street and to require a rear yard setback of 20 feet for any university use which abuts University Avenue between Henry Street and Robie Street.

4.7 In areas which are zoned for low-density university uses, the City shall amend its Zoning Bylaw to require careful treatment of said uses and consideration shall be given to the following:

(i) uses which are located on local streets shall, for the most part, be limited to uses for academic offices, seminar rooms and university residential uses;

(ii) university residential uses shall be developed in conformity with the scale and character of the surrounding residential area;

(iii) the siting of buildings on lots shall be required to generally conform to the characteristics of surrounding residential areas; and

(iv) parking lots shall not be permitted in such areas unless such parking lots are adequately buffered from City streets or from adjacent residential uses.

4.7.1 The City shall encourage re-use of existing buildings for university uses in areas zoned for low-density university use and shall encourage renovation and a greater intensity of uses within the scale and characteristics of surrounding residential areas.

4.7.2 In areas which are zoned for low-density university uses, such zone shall include provisions to restrict heights of buildings to 35 feet or four storeys, and to require setbacks which accord with the characteristic setback on the street.

4.7.3 The City shall permit rezoning to periphery university use only where the existing zoning is residential in the area designated "university" on the Future Land Use Map of this Plan between LeMarchant and Robie Streets, and where the intended use does not front on University Avenue, provided that all other intents of this Plan are satisfied.

4.8 The City shall encourage the provision of adequate parking facilities associated with university uses.

4.8.1 The City shall encourage Dalhousie University to continue its present policy of attempting to buffer parking areas and attempting to introduce high quality design standards for university uses at the periphery of university areas.

4.8.2 The City shall amend its Zoning Bylaw to require that all parking lots in areas on the periphery of the university area be buffered from adjacent residential uses.

4.8.3 The City shall require that, as new university development proceeds at a minimum, parking shall be maintained at its present level, which, at the time of adoption of this Plan, was 1,730 parking spaces.

4.8.4 The City shall encourage Dalhousie University, should it consider a major parking facility, to locate such facility in an appropriate manner within the context of the policies of this Plan adjacent to South Street and opposite the present Sports Complex location.

4.9 The City shall continue to encourage effective use of public transit by university employees and students.

4.10 The City shall not permit any university use in areas which are not designated for same on the Future Land Use Map of this Plan unless such uses are permitted by the Zoning Bylaw and except as provided for by Policy 3.3 of this Plan.

5. COMMUNITY FACILITIES

Objective	The provision of community services and facilities for residents of Peninsula Centre in a variety of settings readily accessible to residential areas.
5.1	The City shall encourage the maintenance of existing community facilities of both a public and private nature in their present location.
5.2	In considering the re-use of existing community facilities such as schools, the City shall consult with the residents of the area through a public meeting forum to determine priorities for re-use of such facilities.

6. HERITAGE RESOURCES

6.1 The City shall continue to seek the preservation, rehabilitation and restoration of areas, streetscapes, buildings, features and spaces in the Peninsula Centre area consonant with the City's general policy stance on heritage preservation (See Section II, Policy Set 6).

6.1.1 For the registered heritage property, known as Thornvale, Thornvale Avenue, the City may permit by contract agreement any use other than those permitted by the zoning designation of the area (for instance, a professional office use) where said use would not unduly disrupt adjacent residential uses in terms of traffic generation, noise, hours of operation, parking requirements and such other land-use impacts as may be identified as part of the review process.

7. TRANSPORTATION

Objective Maintenance of the existing transportation system in the Peninsula Centre area with an emphasis on discouraging through traffic on local streets.

7.1 The City shall carry out a study of the transportation network within the Peninsula Centre area and the terms of reference for such study shall include the following:

(i) an emphasis on reducing through traffic on local streets and an emphasis on reducing the volume of traffic on streets which are primarily residential in use and which are not designed as major arterials;

(ii) attention to the requirement for pedestrian circulation particularly as it relates to the location of community facilities; and

(iii) attention to the context provided by the City's overall transportation policies as found in Part II, Section II of the Municipal Development Plan.

7.2 Notwithstanding Policy 7.1 above, the City shall continue to attempt to reduce the incidence of through traffic on residential streets in the Peninsula Centre area where such streets are not equipped to handle volumes of traffic of a level suited to arterial streets.

7.3 The City shall require that particular attention be paid in preparation of the Quinpool Road Detailed Area Plan to the potential for increased residential traffic in adjacent residential areas in the Peninsula Centre area.

7.4 In reviewing applications for rezonings, zoning amendments or contract agreements for major non-residential uses, the City shall pay particular attention to the proposed access and egress locations to City streets for such applications.

7.5 The City shall actively seek to reduce the use of residential streets for commuter parking, including seeking authority for a residential parking sticker system.

8. SUB-AREA POLICIES

Sub-Areas Definition For the purpose of setting out the detailed sub-area policies of this Plan, sub-areas shall be identified as shown on Map 1.

8.1 SPRING GARDEN ROAD SUB-AREA

8.1.1 The City shall amend its zoning bylaws to include a height restriction on development in the vicinity of the Public Gardens so as to ensure a minimum of shadow casting on the Public Gardens.

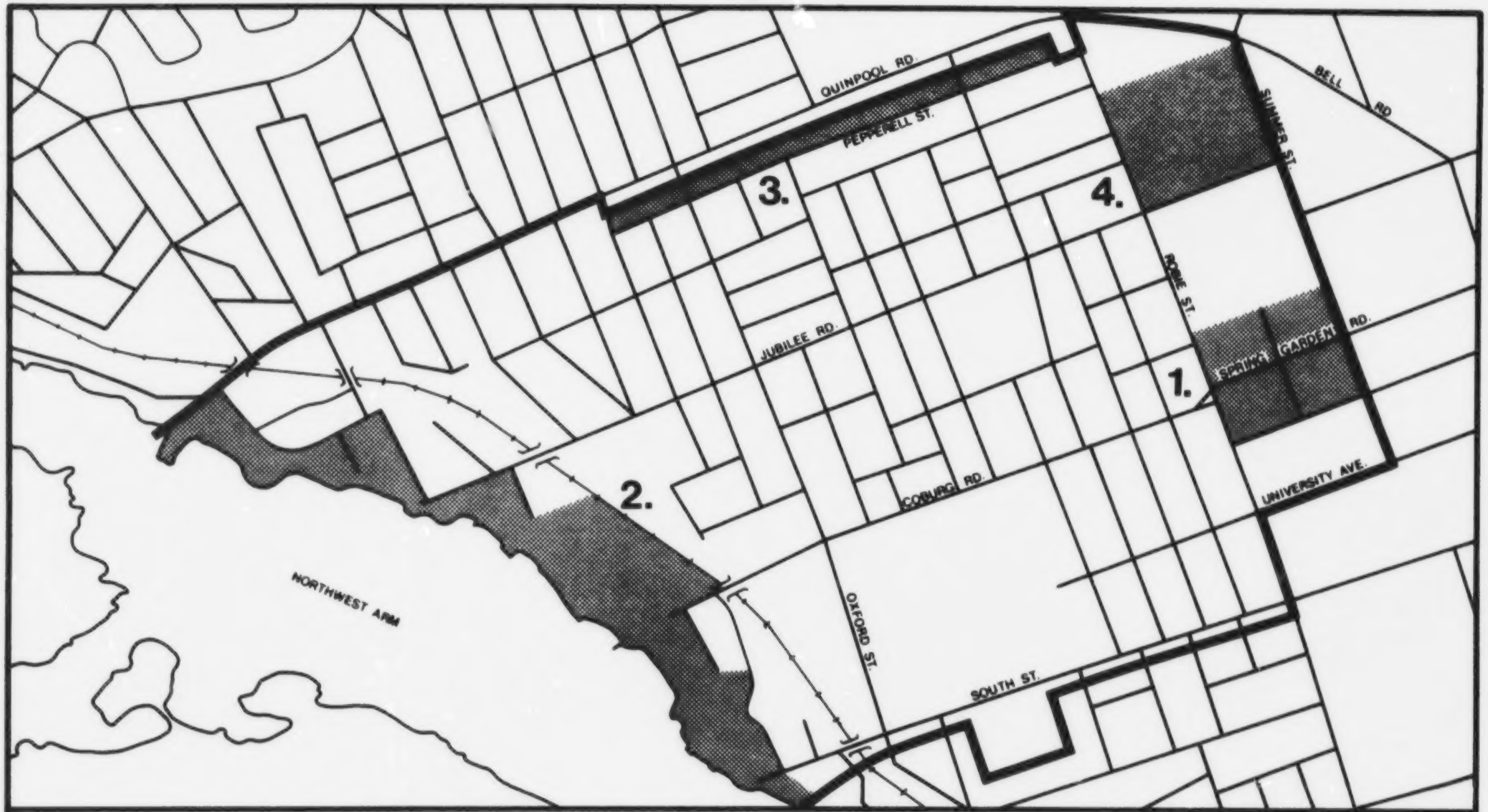
8.1.2 The City shall consider an application under the provisions of Section 33(2)(b) of the Planning Act for a development in the Spring Garden Road Sub-Area north of Spring Garden Road which would exceed the height precinct so established through Policy 8.1.1 above, and, in so doing, the City shall require that any proposed development not cast a significant amount of shadow on the Public Gardens during that period of the year during which the Public Gardens is open to the public.

8.1.3 The City shall consider an application under the provisions of Section 33(2)(b) of the Planning Act for inclusion of office uses in an apartment building, provided that:

(i) the said uses are located on the ground floor of the building;

(ii) access is separately accessible to the said use; and

(iii) parking spaces associated with said uses are separately accessible for spaces associated with the apartment uses.


QUINPOOL RD.
PEPPERELL ST.
BELL RD
SUMMER ST.
3.
4.
ROBIE ST.
JUBILEE RD.
SPRING GARDEN RD.
1.
UNIVERSITY AVE.
2.
COBURG RD.
NORTHWEST ARM
OXFORD ST.
SOUTH ST.

Peninsula Centre Sub-Areas

1. Spring Garden Road Sub-Area
2. Northwest Arm Sub-Area
3. Pepperell Street Sub-Area
4. Camp Hill Sub-Area

▬ Peninsula Centre Area Plan Boundary

Correct as of 26 October, 1989.

1

Peninsula Centre Area Plan
City of Halifax

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KLW 06.87

8.1.4 For the area designated "High-Density Residential" on the southwest intersection of Spring Garden Road and Summer Street and extending to College Street, the City may consider applications for residential developments under the development agreement provisions of the Planning Act beyond the height precincts established pursuant to Policy 8.1.1, provided that no development shall be permitted which would cast shadows on the Public Gardens any day between February 21 and October 21 each year.

8.2 NORTHWEST ARM SUB-AREA

8.2.1 In any area shown as low-density residential, which is located within the area defined in Policy 8.2.1.1 along the present shoreline of the Northwest Arm, the City shall require that only single-family dwellings be permitted, and for those lots which front on the Northwest Arm such dwellings shall be on lots with a minimum lot area of 8,000 square feet, a minimum distance of 30 feet between buildings, and a minimum setback from the shoreline of 30 feet.

8.2.1.1 The area for which Policy 8.2.1 applies shall be that area between the Northwest Arm and a line as follows: beginning at the northern boundary of Peninsula Centre at Armview Avenue, extending along Armview Avenue to Pryor Street, along Pryor Street to Jubilee Road, along Jubilee Road to Fairfield Road, along Fairfield Road to a line extending southerly along the eastern boundaries of the properties between Fairfield Road and Coburg Road, to Coburg Road, thence along Birchdale Avenue to the southernmost property line of Civic No. 1462 Thornvale Avenue, thence along said property line to Thornvale Avenue, thence southerly along Thornvale Avenue to its intersection with Webster Terrace, thence along Webster Terrace to South Street, thence along the rear property lines of the properties fronting on the Northwest Arm to the southern boundary of Peninsula Centre.

8.2.1.2 Notwithstanding the provisions of Policy 8.2.1, for the area identified in Policy 8.2.1.1, the City shall exempt Lots 6 and 7 of Thornvale Subdivision from such provisions in the Zoning Bylaw and shall require that said lots be developed in accordance with the provisions of the R-1 Zone.

8.2.2 The City shall seek to provide a public pathway along the Northwest Arm only in the following ways:

(i) on publicly-owned lands when control of use is available in such a manner as to prevent nuisance to adjacent properties; and

(ii) in cases where redevelopment is proposed, where the conditions identified in (i) above obtain, and where agreement with the landowner can be negotiated.

8.2.3 The City shall require that any change in use of lands in an area designated as institutional shall be restricted to uses primarily recreational in nature and related to the Northwest Arm.

8.2.4 The City shall require that views down existing City streets to the Northwest Arm be maintained.

8.3 PEPPERELL STREET SUB-AREA

8.3.1 The City shall encourage the development of residential uses along Pepperell Street.

8.3.2 The City shall seek to gain authority which would enable restriction of access to commercial properties from Pepperell Street.

8.3.3 The City may, for the property identified as Civic No. 1971 Preston Street, enter a development agreement to permit office uses associated with a bakery pursuant to the authority of the Planning Act. As part of that consideration, the City shall require that:

(a) the general character of the existing building shall be maintained;

(b) only office uses accessory to a bakery shall be permitted;

(c) the external evidence of the office use shall be minimized; and

(d) the development agreement shall be terminated when the property is no longer used for office purposes accessory to a bakery.

8.3.4 Notwithstanding any other policies in this Section, the City may enter into a development agreement to permit at-grade vehicular parking, loading, and unloading facilities for any property along the north side of Pepperell Street used for that purpose on the date of adoption by the City of this Section. These properties shall be identified as Schedule VI.I.

8.3.5 In entering agreements pursuant to Policy 8.3.4, the City shall provide the development be constructed and maintained according to the following:

(a) the parking area shall be provided and maintained with a stable surface such as asphalt or concrete, and shall be drained in accordance with engineering standards of the City;

(b) no signs shall be erected except to indicate the operation and purpose of the lot;

(c) any illumination of such parking area shall be designed and placed to direct the light away from adjoining residential property;

(d) the portion of the parcel used for parking of vehicles shall be bordered on all sides contiguous to a property used for residential purposes by a wall or opaque fence not less than five feet in height to visually screen the parking area from the residential properties;

SCHEDULE VI.I

(a) Civic No. 6335-37 Pepperell Street (LRIS No. 165860)

(b) Civic No. 6331 Pepperell Street (LRIS No. 165852)*

(c) Civic No. 6219 Pepperell Street (LRIS No. 176669)*

(d) Civic No. 6217 Pepperell Street (LRIS No. 176651)*

(e) Civic No. 6209-11 Pepperell Street (LRIS No. 176644)*

(f) Civic No. 6205 Pepperell Street (LRIS No. 176636)

(g) Civic No. 6181 Pepperell Street (LRIS No. 176586)*

(h) Pepperell Street between Civic Numbers 6053 and 6067 Pepperell Street (LRIS Numbers 163055 and 40260556)

(i) Civic No. 6049 Pepperell Street (LRIS No. 163071)*

(e) a minimum of a four-foot wide area between the streetline and the parking surface along that part of the streetline not required for the curb cut or pedestrian entrance shall be landscaped, and the parking area visually screened from the street without obstructing the field of vision at the entrance and exits required for public safety;

(f) the parking lot shall be used only for at-grade vehicular parking, loading or unloading and the permitted residential use. Uses such as the sale, repair, servicing, or storage of motor vehicles, the storage of boxes, crates or any other accessory commercial uses including commercial refuse containers shall be prohibited;

(g) where the rear of the parking area is immediately adjacent to another parking area and there is easy motor vehicle access from one to another then an appropriate stationary traffic diverter or barrier, such as a low wall, planter, or landscaped area, shall be erected to channel the flow, reduce the speed of traffic, and inhibit the use of the lot as a through-vehicle route between City streets;

(h) where a property has a residential structure at the date of adoption by the City of this Section, the building shall be retained.

8.3.6 The City shall not enter into a development agreement once any dwelling existing on the date of adoption by the City of this Section, as shown on Schedule VI.I with an asterisk (*), has been removed.

8.3.7 The City shall prohibit the development of additional parking lots or areas along the north side of Pepperell Street.

8.4 CAMP HILL SUB-AREA

8.4.1 The City shall amend its zoning bylaw, as it applies to the property of Camp Hill Hospital, to include:

(i) a requirement for a setback equivalent to the facade of the existing building from the Robie Street street line for any building fronting on Robie Street; and

(ii) a height limitation of six storeys at the setback line identified in (i) above for any building fronting on Robie Street.

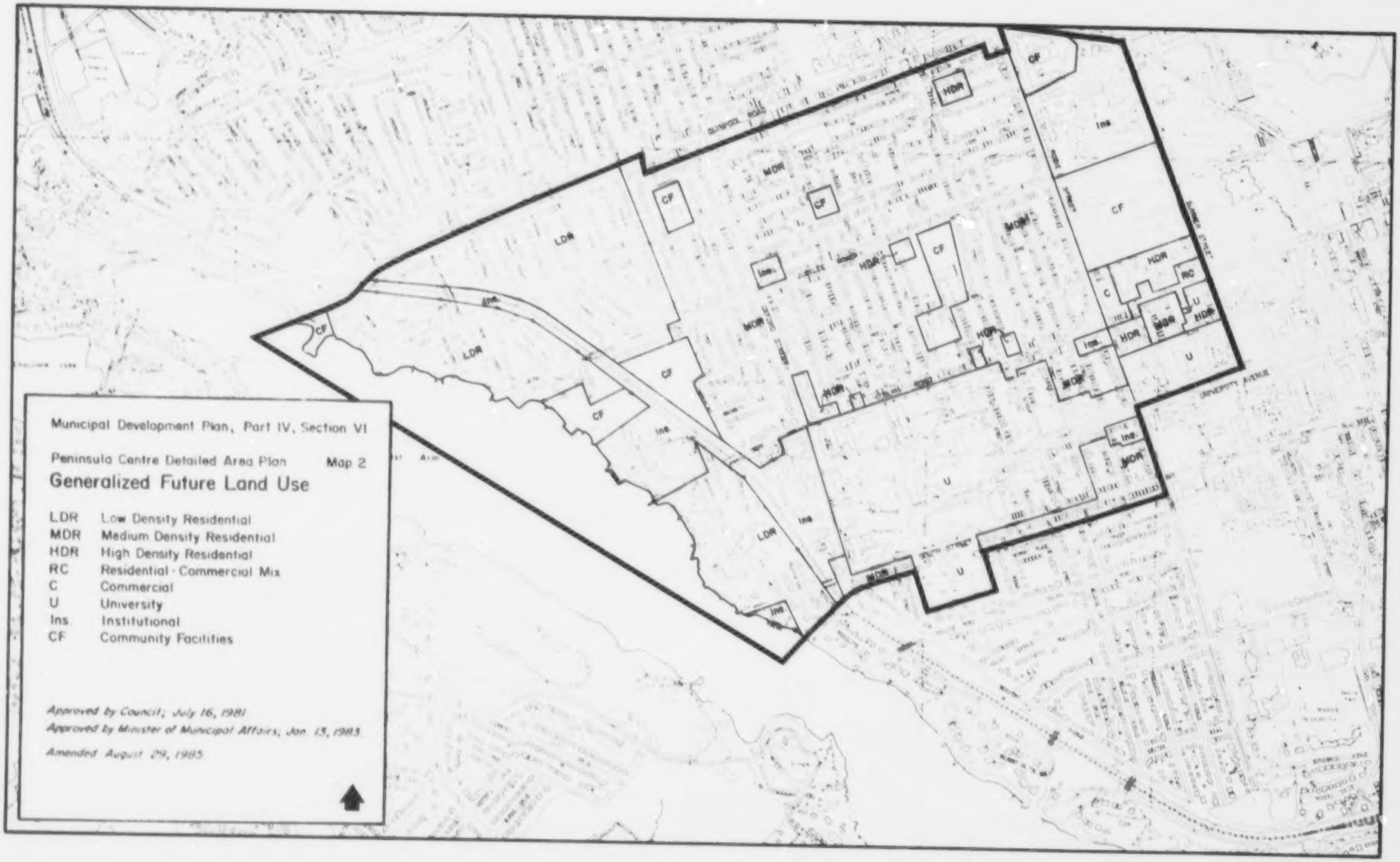
8.4.2 The City shall discourage the use of Jubilee Road as a main thoroughfare to and from the institutional areas on Robie Street.

8.4.3 In any development of the Camp Hill Hospital Complex, the City shall consider as access requirement that the primary access to the site be located on Summer Street and that the primary traffic egress from the site be located on Robie Street with right turns only permitted at that point.

9. GENERALIZED FUTURE LAND USE MAP

9.1 The Generalized Future Land Use Map should be considered as the expression of intent of the City of Halifax for a future land use pattern, based on the policies outlined in this Plan.

9.2 The areas of future land use shown on the Generalized Future Land Use Map shall be determined primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.


QUINPOOL ROAD
ROBIE STREET
SUMMER STREET
UNIVERSITY AVENUE
SOUTH STREET
JUBILEE ROAD
LDR
MDR
HDR
RC
C
U
Ins
CF

Municipal Development Plan, Part IV, Section VI

Peninsula Centre Detailed Area Plan Map 2

Generalized Future Land Use

LDR	Low Density Residential
MDR	Medium Density Residential
HDR	High Density Residential
RC	Residential - Commercial Mix
C	Commercial
U	University
Ins	Institutional
CF	Community Facilities

Approved by Council; July 16, 1981

Approved by Minister of Municipal Affairs; Jan. 13, 1983

Amended August 29, 1985

Reduction of Original

FAIRVIEW SECONDARY PLANNING STRATEGY

The following objectives and policies were adopted by City Council on January 31, 1985 as a secondary plan in the municipal planning strategy, the City of Halifax Municipal Development Plan, to have the title and effect as stated:

SECTION VII

FAIRVIEW AREA SECONDARY PLANNING STRATEGY

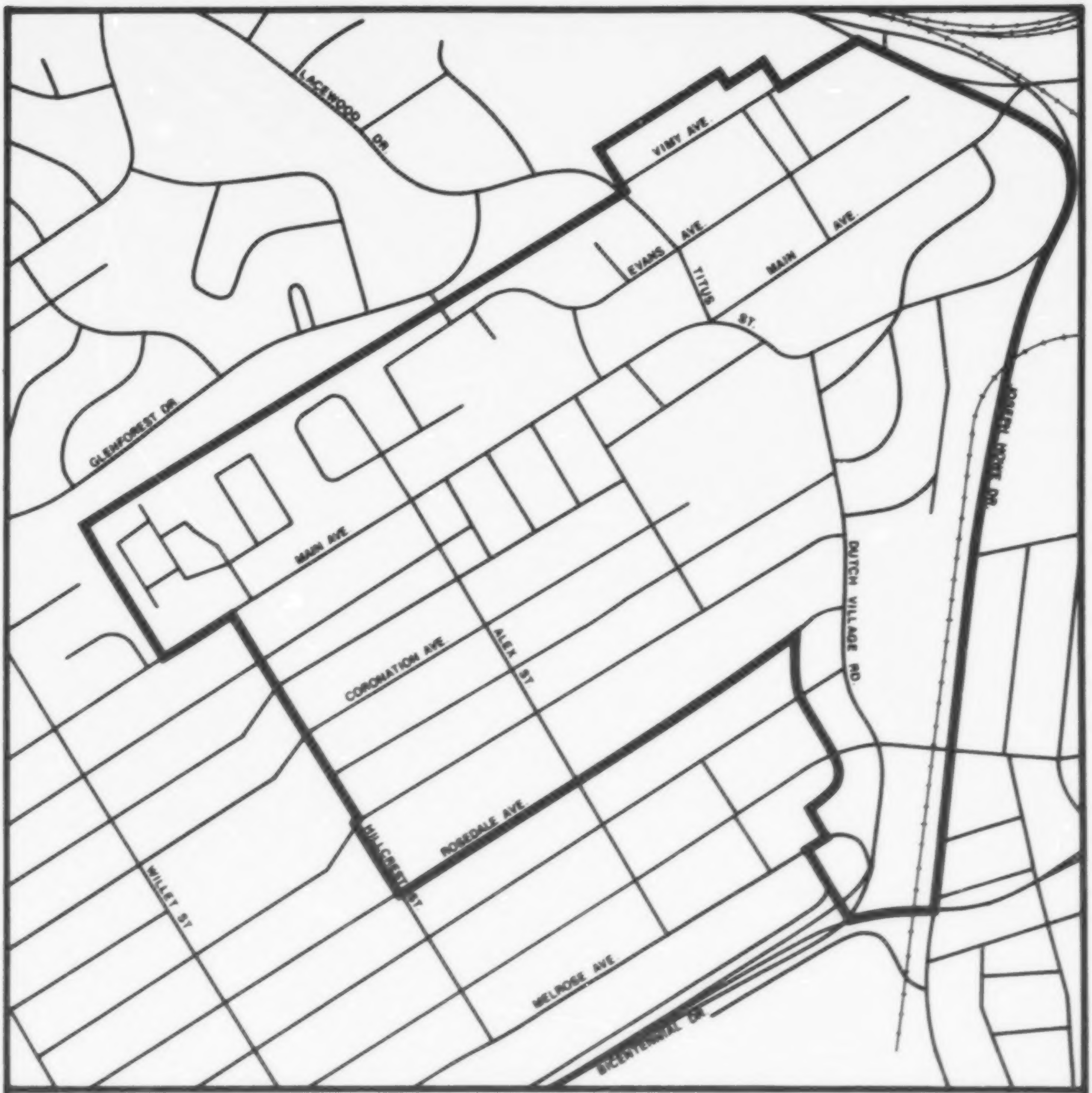
OBJECTIVES AND POLICIES

CONTEXT:

The policies of Part II, Section II of the Municipal Planning Strategy shall apply as appropriate and for greater clarity the objectives and policies of this Section shall also apply. All references to the Planning Act in this Section are to the Nova Scotia Planning Act of 1983.

AREA DEFINITION

The area subject to the Fairview Secondary Planning Strategy includes the area shown on Map 1 bounded as follows; beginning at the intersection of Vimy Avenue and the Fairview Overpass; thence southerly along the Fairview Overpass and Joseph Howe Drive to the approach to the Bicentennial Drive; thence westerly along the approach to the Bicentennial Drive to Dutch Village Road; thence to the nearest point on the curve of School Avenue; thence northwesterly along School Avenue to Melrose Avenue; thence easterly along Melrose Avenue to the western lot line of 5 Melrose Avenue; thence northerly along the lot line and the rear lot lines of properties fronting on Dutch Village Road, crossing Sunnybrae Avenue and then continuing northerly along a line 60 metres west of and parallel to the centre line of Dutch Village Road to Rosedale Avenue; thence westerly along Rosedale Avenue to Hillcrest Street; thence northerly along Hillcrest Street to Main Avenue; thence westerly along Main Avenue to the western lot line of 191 Main Avenue; thence northerly along the lot line of 191 Main Avenue; thence northerly along the lot line and the western boundary of the J. Bert MacDonald Trailer Park, to the northern boundary of the Trailer Park; thence easterly along the northern boundary of the Trailer Park and the southern boundary of Glenforest Park and the Clayton Park Shopping Centre to the northeast corner of the intersection of Titus Street and Vimy Avenue; thence easterly along the northern lot line to the eastern lot line of 25 Vimy Avenue; thence northerly along the western boundary of the lot fronting on Vimy Avenue; thence easterly along the northern boundary of the lot fronting on Vimy Avenue and the lands of the Centennial Arena, to the eastern lot line of the Centennial Arena; thence southerly along the eastern lot line of the Centennial Arena to the northern lot line of 25 Vimy Avenue; thence southerly along the eastern lot line to Vimy Avenue; thence easterly on Vimy Avenue to the place of beginning.


LACEWOOD DR
VIMY AVE.
EVANS AVE.
TITUS ST.
MAIN AVE.
GLENFOREST DR.
JOSEPH HOWE DR.
MAIN AVE
DUTCH VILLAGE RD
CORONATION AVE.
ALEX ST
ROSEDALE AVE.
HILLCREST ST
WILLET ST
MELROSE AVE
BICENTENNIAL DR.

Fairview Area Plan Boundary

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Fairview Area Plan

City of Halifax

Correct as of 26 October, 1989.

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1. RESIDENTIAL ENVIRONMENTS

Objective — Maintain and enhance the residential environment of Fairview while allowing for growth and change in designated areas.

1.1 "Residential Environments" may comprise three categories:

(a) low-density residential;

(b) medium-density residential; and

(c) high-density residential.

1.2 In areas shown as "Low-Density Residential" on the Generalized Future Land Use Map (Map 9c) the City shall permit buildings with one or two dwelling units and appropriate community facilities.

1.2.1 In low-density residential areas, the City shall permit the conversion of institutional uses for residential purposes. The Land Use Bylaw shall regulate such conversions so that no conversion shall result in more than four dwelling units; no increase in the height or floor area of the building shall be permitted and in all other respects the provisions of the R-2 Zone shall apply.

1.3 In areas known as "Medium-Density Residential" on the Generalized Future Land Use Map (Map 9c) it is the City's intention to maintain the existing low-rise character of the area.

1.3.1 In medium-density residential areas, the City shall permit a maximum of four units per buildings.

1.3.2 Properties within areas designated as Medium Density Residential which are developed in excess of four units shall be zoned to substantially reflect their existing use. This zone shall permit conversions of and additions to existing buildings, townhousing, and small scale multiple dwelling infill development to a maximum of 14 units.

1.4 In the area shown as "High Density Residential" on the Generalized Future Land Use Map (Map 9c), the City shall permit apartment buildings.

1.5 The Land Use Bylaw shall permit a residential apartment building within the area governed by this Strategy, existing or approved by Council on the date of adoption of this Strategy, if destroyed by fire or otherwise, to be reconstructed to its original size and density or some lesser dimension.

1.6 For lots larger than one acre in areas designated medium-density on Map 2 of this Plan, Council may approve any medium-density residential development not otherwise permitted by the Land Use Bylaw under the development agreement provisions of the Planning Act. In considering any such development agreement, Council shall have regard for:

(a) compatibility with the surrounding neighbourhood in regard to scale, density and height;

(b) the adequacy of municipal services;

(c) the General Provisions parts of the Land Use Bylaw: Mainland Area (in the area west of Dutch Village Road); Peninsula Area (in the area east of Dutch Village Road);

(d) the preservation of mature trees wherever possible;

(e) for any development adjacent to the public open space known as Glenforest Park:

  (i) public access to Glenforest Park should be provided by road or a pedestrian walkway from Main Avenue;

  (ii) any open space deeded to the City as part of any redevelopment should be complimentary to Glenforest Park and the access provided for in (i) above.

2. COMMERCIAL FACILITIES

Objective Encourage the continued development of the Dutch Village Road area as a Minor Commercial centre, compatible with the surrounding neighbourhood.

2.1 Within areas designated "Residential" on the Generalized Future Land Use Map (Map 9c) the City shall permit individual neighbourhood convenience stores.

2.1.1 Pursuant to Policy 2.1, the Land Use Bylaw shall provide a "Neighbourhood Commercial" zone to allow small convenience grocery and drug stores to cater to walk-in trade in residential areas;

2.1.2 Existing convenience stores in residential areas shall be zoned "Neighbourhood Commercial."

2.2 The Dutch Village Road Commercial area is recognized as a "Minor Commercial centre" within the meaning of Part II, Section II, Policy 3.1.2 of the Municipal Planning Strategy. The City shall encourage its development within the limits set out in this Plan.

2.2.1 Minor commercial uses should front on Dutch Village Road, Alma Crescent or Titus Street and should be concentrated between Bayers Road and Evans Avenue, and shall be permitted only in areas designated "Minor Commercial" on the Future Land Use Map (Map 9c) of this Plan. The area designated "Minor Commercial" along Dutch Village Road and Titus Street is intended to provide limited expansion capability of the minor commercial uses.

2.2.2 Residential properties within the "Minor Commercial" designation, and not fronting on Dutch Village Road, Alma Crescent or Titus Street, shall be zoned to reflect their present use. The City may consider applications for rezoning of such properties to commercial use provided that the land to be rezoned is adjacent to a property zoned commercial.

2.2.3 Further to Policies 2.2.1 and 2.2.2, the Land Use Bylaw shall include provisions in the Minor Commercial Zone to protect the adjacent residential area from the impact of commercial uses by limiting the location of pedestrian and vehicular access to stores and parking areas, and by requiring adequate on-site parking and buffering of visual and noise intrusions.

2.3 Any existing non-conforming commercial use may be considered for development agreement by Council under the authority of the Planning Act, where such agreement would result in: improvements to the building, the site, or the use as it relates to the surrounding neighbourhood; or if destroyed, in the reconstruction of the building not to exceed its dimensions at the time of destruction, provided that:

(a) the capacity of the existing municipal services are not adversely affected;

(b) all provisions of the Minor Commercial Zone, other than use, are met;

(c) the proposed use is more compatible with the land use designation than the existing use in respect to traffic generation, safety, noise and air pollution.

2.3.1 The Land Use Bylaw shall identify the properties considered by Policy 2.3, and shall specify the changes which Council may allow through a development agreement.

3. GENERALIZED FUTURE LAND USE MAP

3.1 The Generalized Future Land Use Map (Map 9c) shall be considered as the expression of intent of the City of Halifax for a future land use pattern for Fairview based on the policies outlined in this Plan and supersedes any designations in the same area by Section II, Map 9.

3.2 The areas of future land use shown on the Generalized Future Land Use Map shall be determined primarily by the objectives and policies that correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.

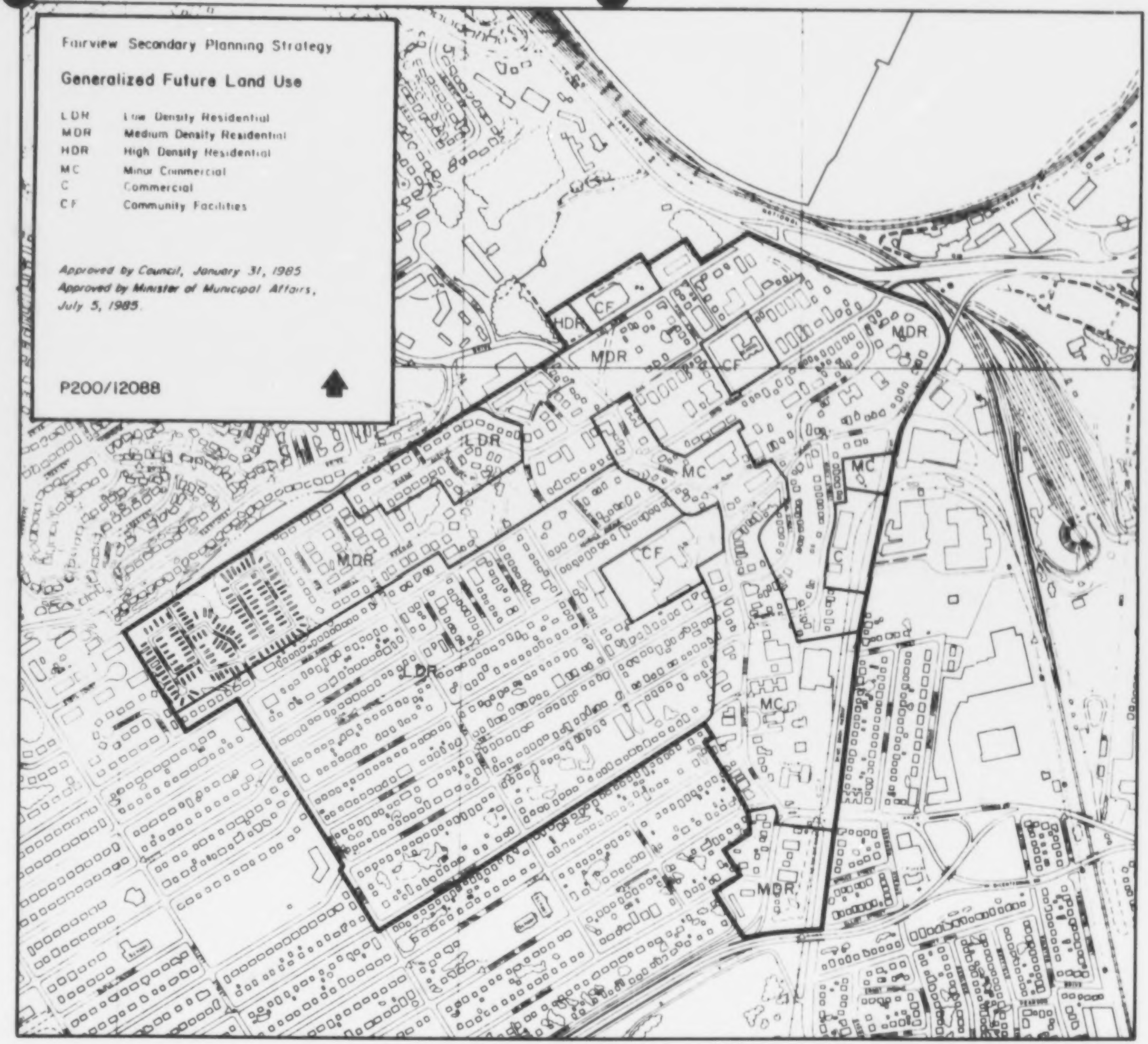
3.3 Notwithstanding any other provision of this Strategy, a development permit may be issued by the Development Officer for a project in respect of which approval has been given by Council and where no decision of the Municipal Board has been given reversing such approval, provided that the development is completed within the time limit specified in the development agreement, or, in the absence of such time limit, within one year of the approval of this Strategy.

3. GENERALIZED FUTURE LAND USE MAP

3.1 The Generalized Future Land Use Map (Map 9c) shall be considered as the expression of intent of the City of Halifax for a future land use pattern for Fairview based on the policies outlined in this Plan and supersedes any designations in the same area by Section II, Map 9.

3.2 The areas of future land use shown on the Generalized Future Land Use Map shall be determined primarily by the objectives and policies that correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.

3.3 Notwithstanding any other provision of this Strategy, a development permit may be issued by the Development Officer for a project in respect of which approval has been given by Council and where no decision of the Municipal Board has been given reversing such approval, provided that the development is completed within the time limit specified in the development agreement, or, in the absence of such time limit, within one year of the approval of this Strategy.



Fairview Secondary Planning Strategy
Generalized Future Land Use
LDR Low Density Residential
MDR Medium Density Residential
HDR High Density Residential
MC Minor Commercial
C Commercial
CF Community Facilities
Approved by Council, January 31, 1985
Approved by Minister of Municipal Affairs, July 5, 1985.
P200/12088
HDR
CF
MDR
CF
MDR
LDR
MC
MC
CF
C
MDR
LDR
MC
MDR

Reduction of Original

BEDFORD HIGHWAY SECONDARY PLANNING STRATEGY

The following objectives and policies were adopted by City Council on March 14, 1985, as a secondary plan in the municipal planning strategy, the City of Halifax Municipal Development Plan, to have the title and effect as stated:

SECTION VIII

BEDFORD HIGHWAY SECONDARY PLANNING STRATEGY

OBJECTIVES AND POLICIES

CONTEXT

The policies of Part II, Section II of the Municipal Development Plan shall apply as appropriate and for greater clarity the objectives and policies of this section shall also apply.

AREA DEFINITION

For the purpose of this municipal planning strategy, the Bedford Highway Area consists of all lands adjacent to the Bedford Highway north of Fairview Overpass to the City Limits bounded on the east by the Bedford Basin and on the west as shown on the area map.

1. RESIDENTIAL ENVIRONMENTS

Objective The maintenance of stable residential neighbourhoods in and adjacent to the Bedford Highway Area, providing family and non-family housing accommodation.

1.1 The City shall encourage the retention and rehabilitation of existing structurally-sound housing units in order to maintain the stability of residential neighbourhoods.

1.2 The City shall ensure that new construction in residential neighbourhoods is compatible with the existing scale and architectural character of the area.

1.3 For the purposes of this Bedford Highway Strategy, the City shall define "Residential Environments" as comprising three categories:

(i) low-density residential;

(ii) medium-density residential; and

(iii) high-density residential.

1.4 Areas shown as low-density on the Generalized Future Land Use Map of this Bedford Highway Strategy shall be areas in which single-detached housing shall be permitted.

1.5 Areas shown as medium-density residential on the Generalized Future Land Use Map of this Bedford Highway Strategy shall be areas in which the following forms of residential development shall be permitted:

(i) low-density residential development;

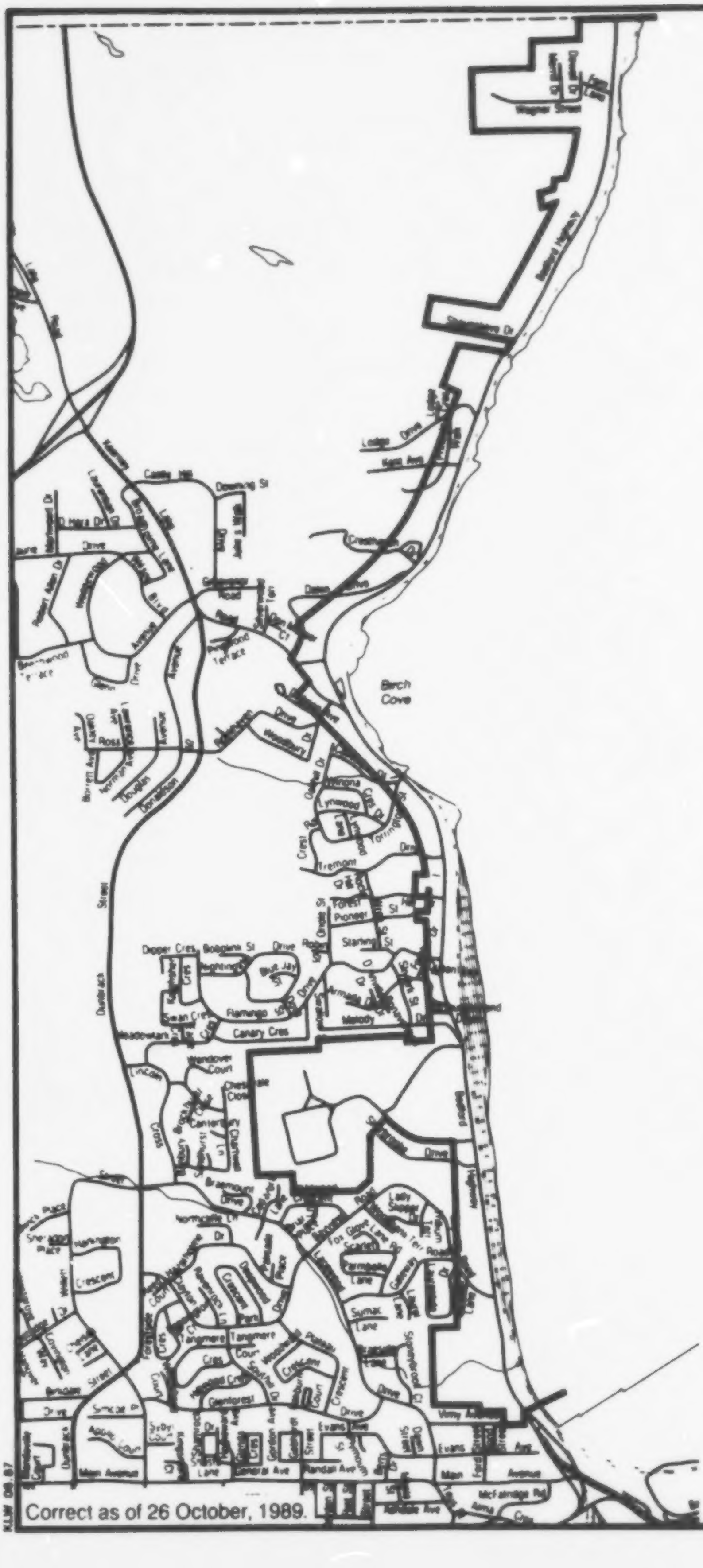
(ii) duplex housing; and

(iii) semi-detached housing.

1.6 Areas shown as high-density residential on the Generalized Future Land Use Map of this Bedford Highway Strategy shall be areas in which the following forms of residential development shall be permitted:

(i) low-density residential development;

Bedford Highway Area Plan Boundary



Bedford Highway
Wagner Street
Shaunessy Dr
Lodge Drive
Kent Ave
Birch Cove
Castle Hill
Downing St
Ross
Douglas
Dunbrack Street
Crest Rd
Tremont
Forest
Pioneer
Starling
Dipper Cres
Bobolink St
Flamingo
Canary Cres
Swan Cres
Meadowlark
Melody
Wendover Court
Cheltenham Close
Canterbury
Lincoln
Cross
Braemount
Normandie
Harlington
Crescent
Sumac Lane
Fox Glove
Scarlett
Tangmere
Glenforest
Evans Ave
Main Avenue
Randall Ave
McFatridge Rd
Adelaide Ave
Alma Cres
Bedford
Highway
KLW 06.87
2000 Ft.

Correct as of 26 October, 1989.

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Bedford Highway Area Plan

City of Halifax

(ii) medium-density residential development;

(iii) stacked-attached housing; and

(iv) apartment buildings.

2. COMMERCIAL FACILITIES

Objective The provision of commercial facilities in appropriate locations on the Bedford Highway to serve adjacent neighbourhoods and highway uses.

2.1 For the purposes of this Bedford Highway Strategy, the City shall define commercial facilities as comprising two categories:

(i) minor commercial; and

(ii) highway commercial.

2.2 Areas shown as minor commercial centres on the Generalized Future Land Use Map of this Bedford Highway Strategy shall be regarded as medium-scale commercial areas within walking or easy vehicular distance of several neighbourhoods, offering a variety of retail goods, services, and activities to the surrounding communities.

2.2.1 In minor commercial centres, the City shall permit retail shops, personal services, offices, specified entertainment uses, institutions, restaurants including convenience restaurants, community centres, and residential uses.

2.2.2 In minor commercial centres in the Bedford Highway Area the City shall require sufficient parking to accommodate employees and customers.

2.3 Areas shown as highway commercial on the Generalized Future Land Use Map of this Bedford Highway Strategy shall be areas where specified commercial uses serving highway users shall be permitted on properties having direct access to the Highway.

2.3.1 In areas shown as highway commercial the City shall permit motels; motor vehicle repair shops; motor vehicle dealers; sales of trailers; prefabricated homes and similar goods; and minor commercial uses.

2.3.2 In areas shown as highway commercial the City shall encourage development compatible with existing residential and commercial structures at a scale that will not substantially alter existing traffic flow.

2.3.3 Pursuant to Policy 2.3.2, the Land Use Bylaw shall provide for:

(i) a maximum height of structures;

(ii) minimum setback, side yard, and rear yard requirements;

(iii) maximum lot coverage; and

(iv) sufficient parking to accommodate employees and customers.

2.3.4 When considering land use control procedures to permit construction or expansion of highway commercial uses in the Bedford Highway Area, the City may limit the size and number of signs, establish requirements for landscaping, control architectural design, or impose other similar requirements to ensure that the development is aesthetically pleasing and in keeping with the character of Bedford Highway as a major scenic approach to the City.

2.3.5 Pursuant to Policy 2.3.4, the City shall investigate design guidelines and the means of implementing such guidelines for highway commercial areas on the Bedford Highway.

3. INDUSTRIAL

Objective Encouragement of existing industrial uses at their present locations.

3.1 The City shall discourage further expansion of railway uses within the Bedford Highway area except on lands already used for railway purposes.

4. INSTITUTIONAL

Objective Encouragement of existing institutional uses at their present locations.

4.1 The City shall encourage Mount St. Vincent University to develop within areas shown as institutional-university on the Generalized Future Land Use Map of this Bedford Highway Strategy.

5. COMMUNITY FACILITIES

Objective	The provision of new recreation areas in appropriate locations, and the improvement of access to existing areas where necessary, particularly the Bedford Basin shoreline.
5.1	The City shall seek to preserve all areas of the Bedford Basin shore not required for railroad use as open space for public recreation purposes.
5.1.1	Pursuant to Section II, Policy 7.4.3 of the Municipal Planning Strategy the City shall seek to provide public access to the Bedford Basin shore. The City shall investigate, in particular, the feasibility of providing safe public access to Hogan's Point.
5.2	The City shall provide secondary access to Hemlock Ravine from Bedford Highway consistent with Policy 6.2 of this Bedford Highway Strategy and with the concept plan for Hemlock Ravine.

6. ENVIRONMENT

Objective Protection of environmentally sensitive natural features, including the Bedford Basin shoreline.

6.1 In considering all developments within the Bedford Highway Area the City shall ensure that negative effects on the existing natural environment are minimized. In particular, the City shall have regard to preservation of the existing topography and, to the degree possible, of existing trees and natural foliage.

6.2 Pursuant to Section II, Policy 7.3.2 of the Municipal Planning Strategy the City shall provide for convenient public access to Hemlock Ravine from the Bedford Highway to the degree compatible with preservation of the sensitive natural environment of that area.

6.3 The City shall investigate methods of preserving the Bedford Basin shoreline in the vicinity of Hogan's Point.

7. TRANSPORTATION

Objective Recognition of the Bedford Highway as an important part of the regional transportation network and the need to provide for its safe, convenient use by automobiles, trucks and public transit users, and pedestrians.

7.1 The City should seek to establish, in conjunction with the Province, a program to systematically upgrade, and where necessary, realign Bedford Highway in accordance with its function as a principal city street and provincial highway.

7.1.1 The City shall seek to provide sidewalks in appropriate locations on the Bedford Highway as part of its upgrading program.

7.1.2 The City shall endeavor to consolidate vehicle access points to the Bedford Highway as part of its upgrading program.

7.1.3 In consolidating vehicle access points to the Bedford Highway, the City shall endeavour to apply the following standards:

(i) one access for each lot in areas designated for low- and medium-density residential uses;

(ii) two separate accesses for each lot in areas designated for high-density residential, minor commercial, highway commercial, institutional-university uses, and community facilities;

(iii) a minimum distance between access points; and

(iv) a maximum width for access points.

7.2 The City, in conjunction with the Provincial authorities, shall seek to enhance the visual environment along the Bedford Highway by means such as undergrounding of wires, tree planting and landscaping, in keeping with its role as a major entrance to Halifax. Such activities should be pursued in conjunction with an overall upgrading program.

Objective Upgrading and realignment of the Bedford Highway should avoid unnecessary disruption of existing land uses.

7.3 The City should ensure that any widening and realigning of the Bedford Highway be designed so as to minimize any adverse impacts on adjacent property.

8. ENVIRONMENTAL HEALTH SERVICES

Objective	Encouragement of development only where municipal water and sewer services are already available or, if such services are not available, where the developer can provide acceptable services.
8.1	When considering development applications in portions of the Bedford Highway area where municipal water and sewer services are not available, the City shall have regard to the preservation of water quality and prevention of sewer infiltration for existing land uses.

9. GENERALIZED FUTURE LAND USE MAP

9.1 The Generalized Future Land Use Map (Map 9d) should be considered as the expression of intent of the City of Halifax for a future land use pattern based on the policies outlined in this Bedford Highway Strategy.

9.2 The areas of future land use shown on the Generalized Future Land Use Map shall be determined primarily by the objectives and policies that correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.

9.3 Notwithstanding any other provision of this Strategy, a Development Permit may be issued by the Development Officer for a project in respect of which approval was given by Council, and where no decision of the Municipal Board has been given reversing such approval, provided that the development is completed within the time limit specified in the development agreement or, in the absence of such time limit, within one year of the approval of this Strategy.

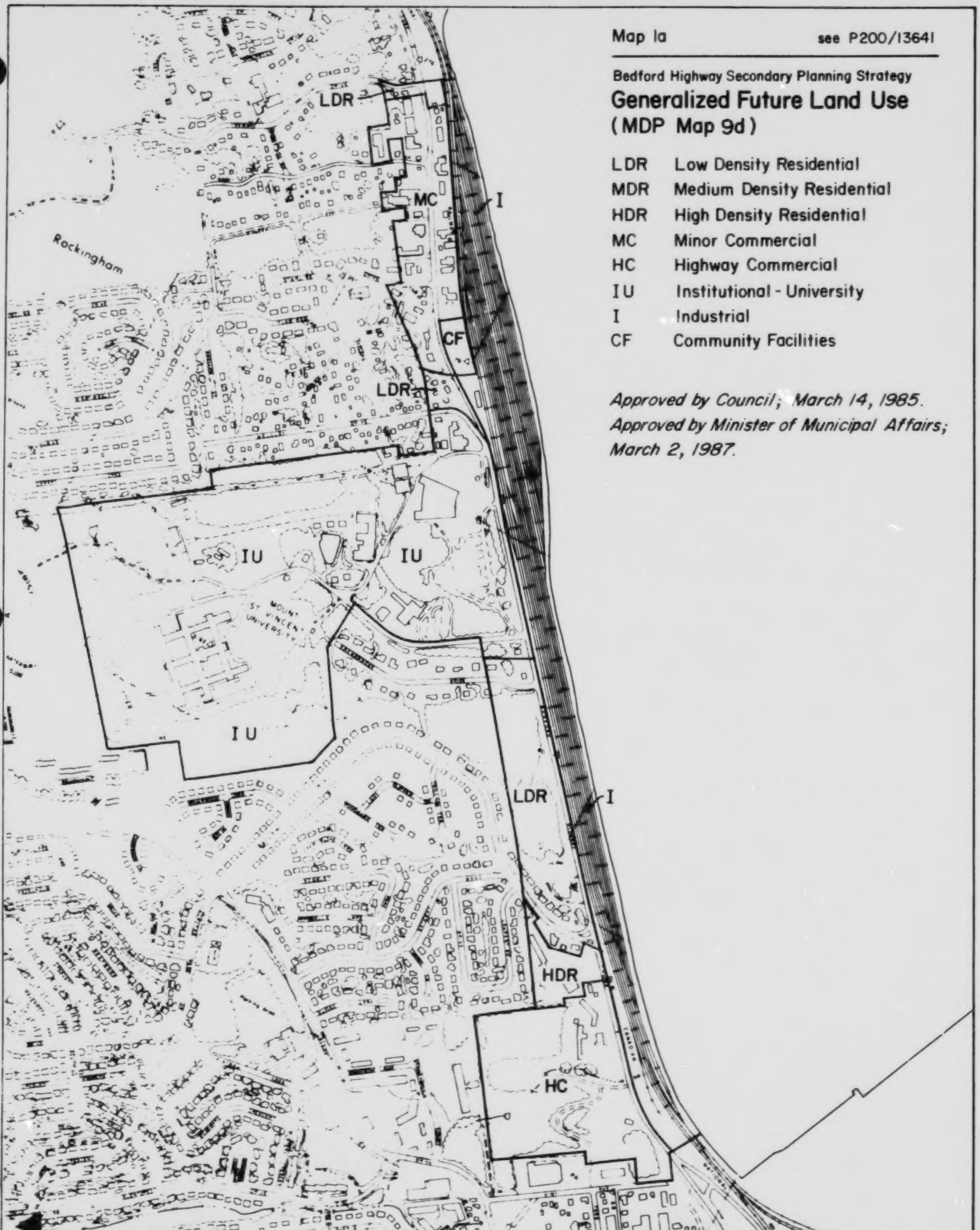
Map Ia see P200/13641

Bedford Highway Secondary Planning Strategy

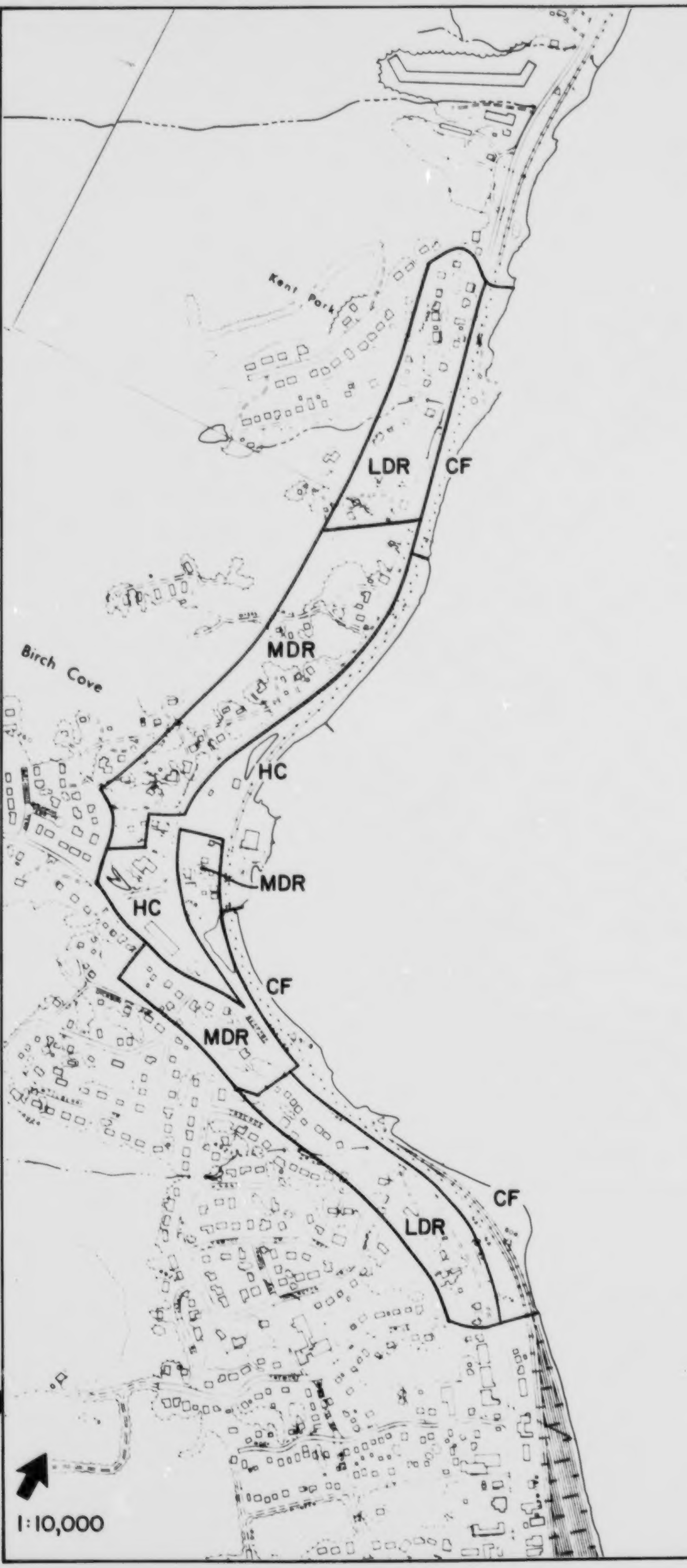
Generalized Future Land Use
(MDP Map 9d)

LDR	Low Density Residential
MDR	Medium Density Residential
HDR	High Density Residential
MC	Minor Commercial
HC	Highway Commercial
IU	Institutional - University
I	Industrial
CF	Community Facilities

Approved by Council; March 14, 1985.
Approved by Minister of Municipal Affairs; March 2, 1987.


LDR
MC
I
Rockingham
CF
LDR
IU
IU
MOUNT ST VINCENT UNIVERSITY
IU
LDR
I
HDR
HC
1:10,000
KEW 03/85

Approved by Council; March 14, 1985.
Approved by Minister of Municipal Affairs; March 2, 1987.


Kent Park
LDR
CF
MDR
Birch Cove
HC
MDR
HC
CF
MDR
CF
LDR
1:10,000
KLW 03/85

Map 1b see P200/13641

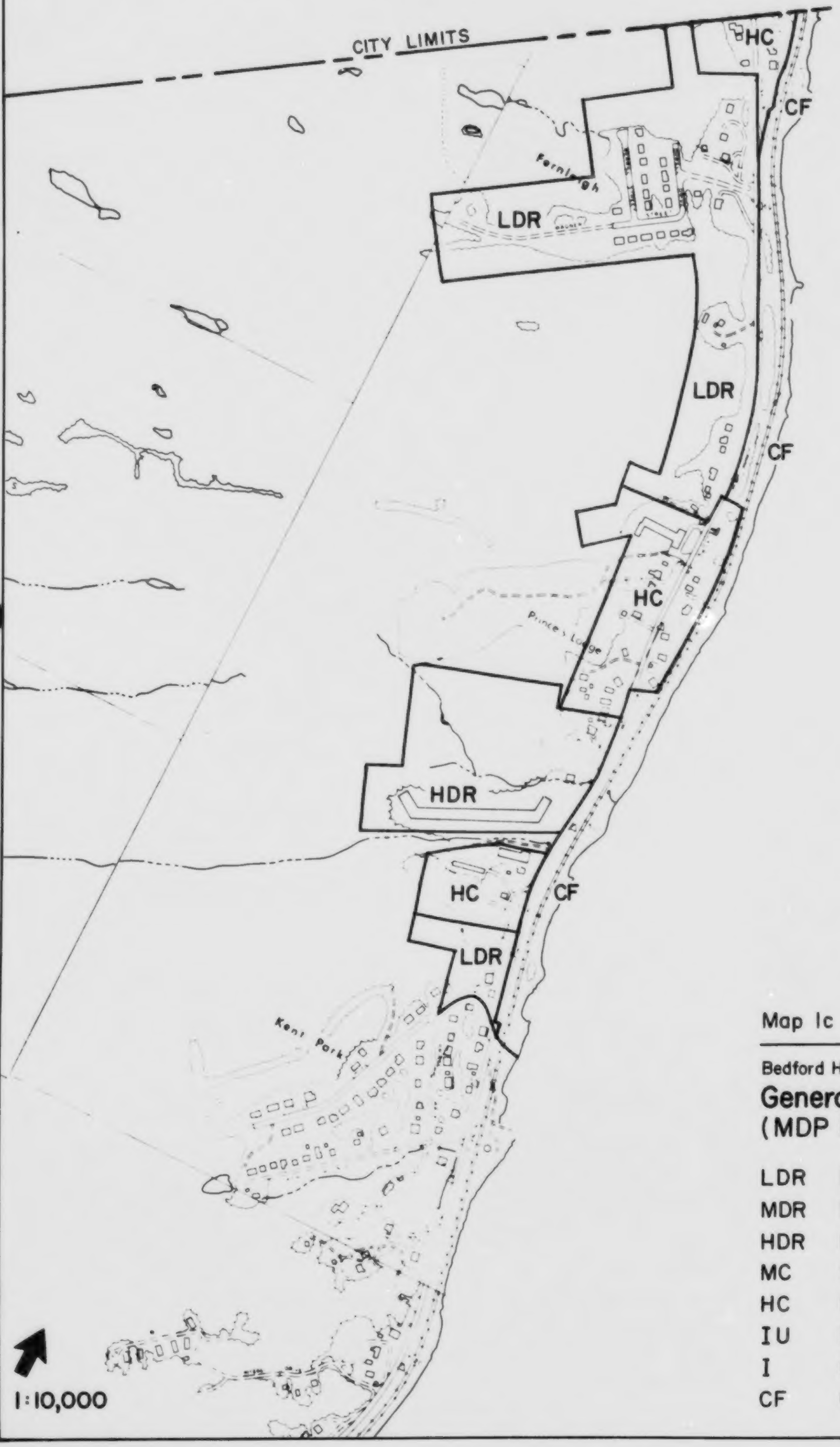
Bedford Highway Secondary Planning Strategy

Generalized Future Land Use (MDP Map 9d)

LDR	Low Density Residential
MDR	Medium Density Residential
HDR	High Density Residential
MC	Minor Commercial
HC	Highway Commercial
IU	Institutional - University
I	Industrial
CF	Community Facilities

Approved by Council; March 14, 1985.
Approved by Minister of Municipal Affairs; March 2, 1987.

Amended January 25, 1989.


CITY LIMITS
HC
CF
Fernleigh
LDR
LDR
CF
HC
Princes Lodge
HDR
HC
CF
LDR
Kent Park
1:10,000

Map Ic see P200/13641

Bedford Highway Secondary Planning Strategy

Generalized Future Land Use
(MDP Map 9d)

LDR	Low Density Residential
MDR	Medium Density Residential
HDR	High Density Residential
MC	Minor Commercial
HC	Highway Commercial
IU	Institutional - University
I	Industrial
CF	Community Facilities

KLW 03/85

SECTION IX

SPRING GARDEN ROAD COMMERCIAL AREA PLAN

OBJECTIVES AND POLICIES

CONTEXT

The detailed objectives and policies for the Spring Garden Road area will be considered as part of this municipal planning strategy, pursuant to Part II, Section II, Policy 2.5.2.

AREA DEFINITION

For the purpose of this municipal planning strategy, the Spring Garden Road area includes all of the area bounded by Sackville Street, Brunswick Street to Spring Garden Road, Spring Garden Road to Queen Street, Queen Street, Clyde Street, and South Park Street, as shown on the area map below.

1. COMMERCIAL FACILITIES

Objective The maintenance and promotion of the Spring Garden Road Area as a major commercial centre, accommodating a mixture of commercial activity, particularly high-quality retail uses, but also including offices, hotels, and other uses that enhance its vitality, including residential as a secondary use.

1.1 The City shall encourage the development of the area as a major commercial centre pursuant to Section II, Policy 3.1.3.

1.2 In areas designated "Residential-Commercial Mix", the City shall permit the following uses:

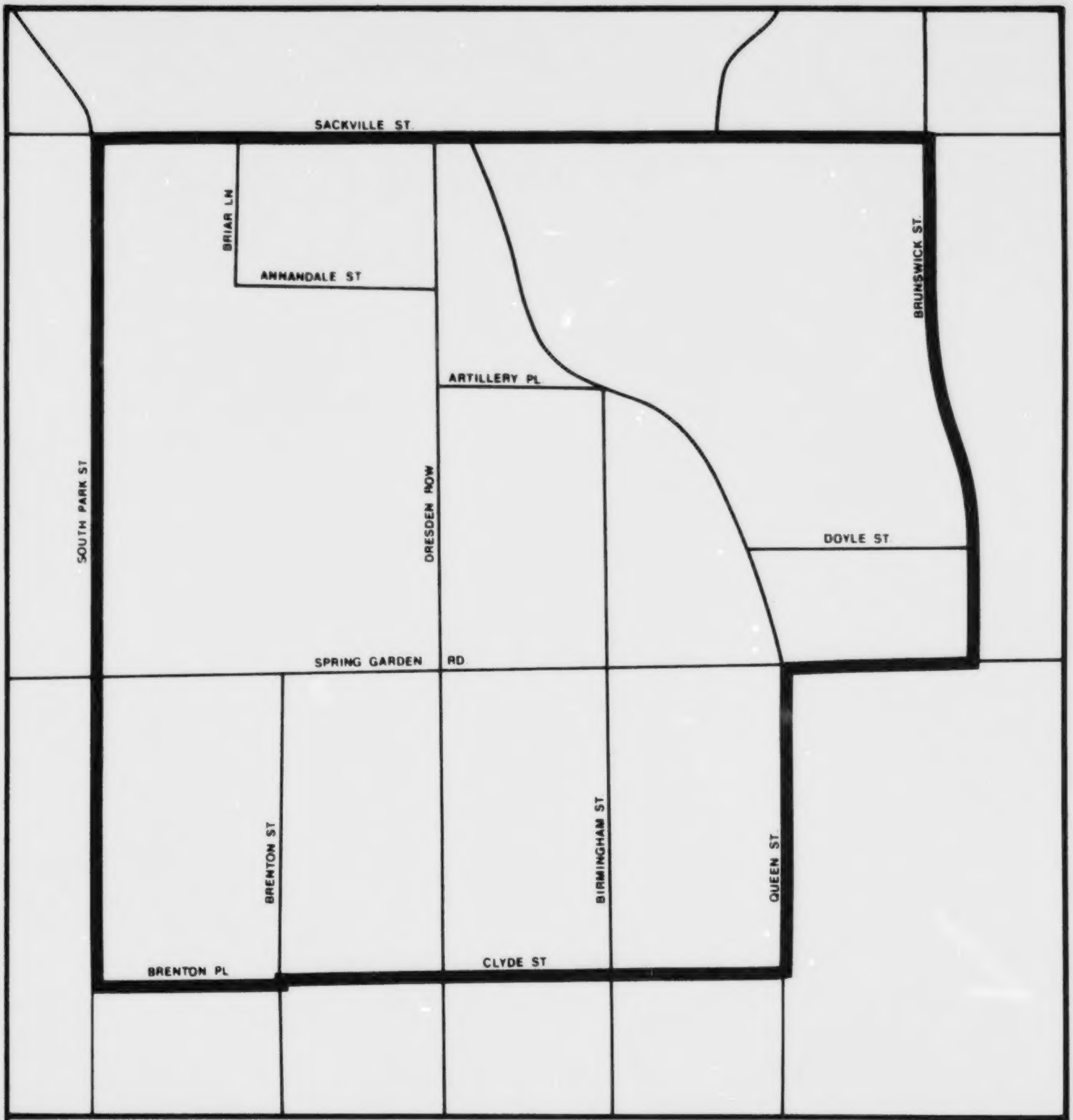
(i) residential uses;

(ii) in new buildings, residential uses with minor commercial uses occupying the ground floor, provided that the commercial uses have independent and direct access to the street; and

(iii) in existing buildings, minor commercial uses and a mix of minor commercial and residential uses.

1.3 On the Clyde Street Parking Lots the City shall ensure, through its control of the disposition of these lands, that their development is beneficial to the commercial well-being of the Spring Garden Road area and the scale is compatible with adjacent neighbourhoods. The City shall initiate a call for proposals for the use of these lands consistent with the policies of this Spring Garden Road Plan.

1.3.1 In the residential-commercial mix areas that are now used predominantly for public parking, the City may permit, by development agreement, any mixed residential-commercial development not otherwise permitted by the Land Use Bylaw provided that such development shall:


SACKVILLE ST.
BRIAR LN
ANNANDALE ST
BRUNSWICK ST.
ARTILLERY PL.
SOUTH PARK ST
DRESDEN ROW
DOYLE ST.
SPRING GARDEN RD
BRENTON ST
BIRMINGHAM ST
QUEEN ST.
BRENTON PL
CLYDE ST

Spring Garden Road Commercial Area Plan Boundary

1

Spring Garden Road Commercial Area Plan
City of Halifax

Correct as of 26 October, 1989.

200 Ft

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KLW 06 87

(i) incorporate parking provisions that shall, as a minimum, replace for public use the parking spaces now provided on these sites, as well as accommodate the parking requirement generated by the development itself; and

(ii) be designed so as to be compatible with surrounding uses.

1.3.2 On the Lord Nelson Hotel Parking Lot the City may permit, by development agreement, a new development whose parking capacity is less than the minimum stipulated by the Land Use Bylaw for the Spring Garden Road Area, taking into account the fact that a parking facility in a commercial development of which a hotel is an element may serve both the patrons of the hotel and the patrons of the other commercial elements adequately during different hours in the day.

1.4 The City shall encourage only retail and personal service uses, including restaurants, taverns, lounges and similar uses, to locate at grade, adjacent to the sidewalks on Spring Garden Road between South Park Street and Queen Street.

1.5 Residential uses should be encouraged in commercial buildings in the Spring Garden Road area in order to preserve a lively and varied street environment and to enhance street safety after business hours. In particular, such uses should be encouraged on the second and third floors on the street front.

1.5.1 In major commercial areas, the City shall permit the combination of residential uses with commercial uses in the same building envelope provided that:

(i) only retail and personal service uses are located at the ground level excepting lobbies or similar areas that are required for access to residential uses;

(ii) separate access is provided from residential uses to the exterior ground level; and

(iii) sufficient parking is provided to meet the needs of residents at a rate of one space for every unit of two or more bedrooms and one space for every four or less bachelor or one-bedroom units.

2. URBAN DESIGN

Objective The retention of the present scale and character of Spring Garden Road and its enhancement as an environment for pedestrian activity.

The retention of a sensitive and complementary setting for Citadel Hill through the control of the height of new development in its vicinity.

2.1 New development on Spring Garden Road should be designed to strengthen the general scale and open character of the present streetscape, by maintaining a maximum height of 55 feet at the street line.

2.2 New development on Spring Garden Road shall be sited on or close to the street line adjacent to the sidewalks to encourage the retention of a continuous street frontage of retail and other uses that promote pedestrian activity and interest.

2.3 New development on Spring Garden Road shall be designed to permit sunlight penetration to pedestrian level on the north side of Spring Garden Road for approximately six months of the year.

2.4 New development on Spring Garden Road should be designed to minimize the effect of air turbulence at pedestrian level on Spring Garden Road, by requiring the upper storey levels of buildings to be stepped back.

2.5 The City shall control the height of new development within the Spring Garden Road Commercial Area in the vicinity of Citadel Hill, pursuant to Policies 6.3, 6.3.1, 6.3.2, and 6.3.3 of Part II, Section II of this Plan.

2.5.1 In Band A, as shown on Map 3 of this Spring Garden Road Plan, the following height controls shall apply:

(i) the basic height of a building shall be 60 feet. This height may be exceeded provided there is one and one half feet of setback from the Sackville Street streetline for every foot of additional height above the 60 foot level. No such setbacks are required from other streetlines or property lines.

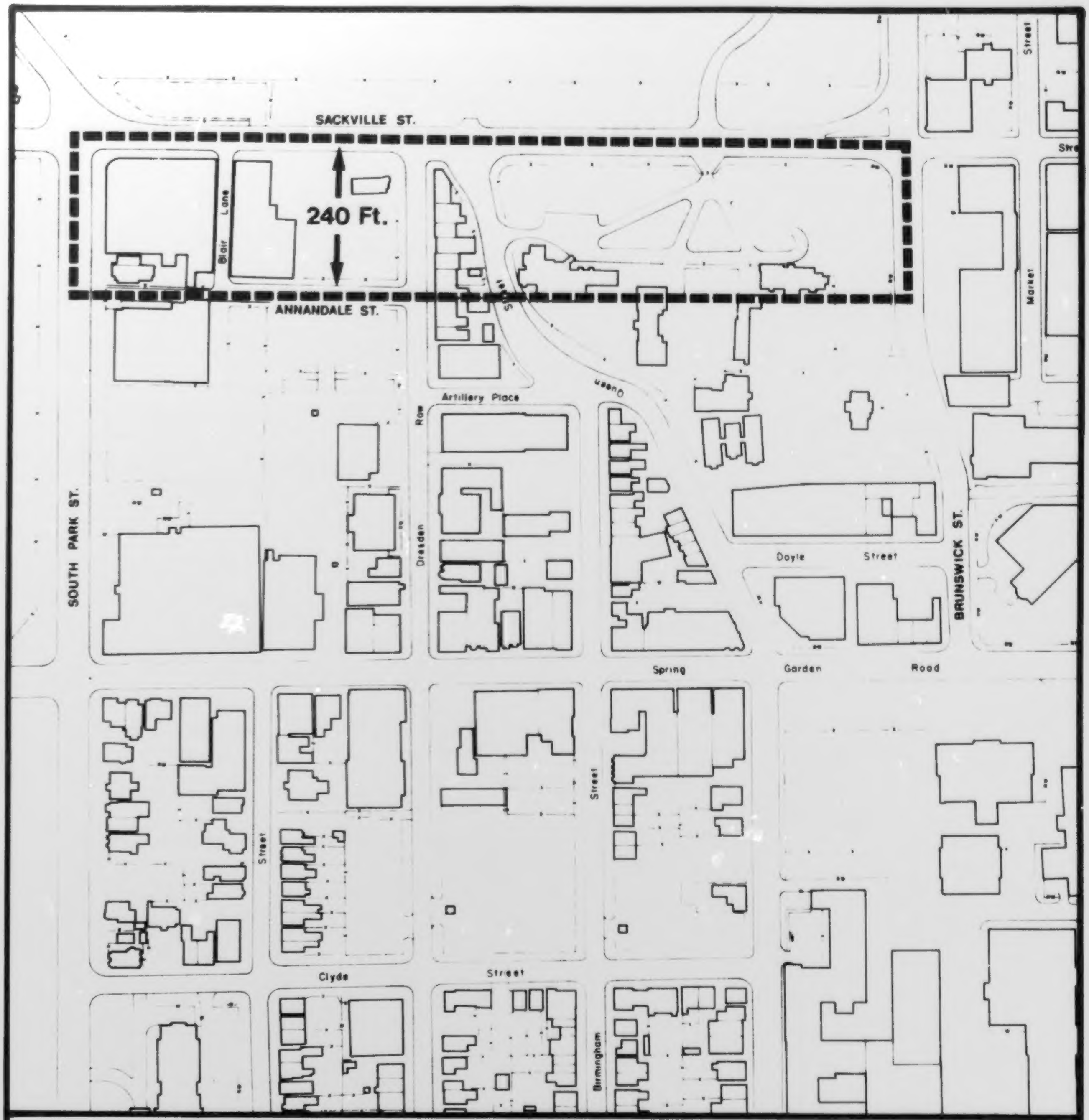
(ii) notwithstanding the above, no building shall exceed 75 feet in overall height or penetrate a viewplane.

2.6 The City shall seek to achieve a phased program for the burial or relocation of overhead electricity and telephone cables, particularly along Spring Garden Road.

2.7 New development on South Park Street should be designed to minimize its visual impact on the Public Gardens and Victoria Park, by maintaining a maximum height of 55 feet at the street line.

2.7.1 Notwithstanding Policy 2.7, on the Lord Nelson Hotel Parking Lot the City may permit, by development agreement, a new development whose height may equal but not exceed the height of a northerly projection of the parapet line of the present Lord Nelson Hotel, it being a condition of such development agreement that such new development be set back from South Park Street a distance equal to the setback of the Lord Nelson Hotel.

2.8 Maximum building heights at the building line and setback requirements in the Spring Garden Road area shall be established on the Height Precinct Map to achieve the intent of Policies 2.2, 2.3, 2.4, and 2.7 above.


SACKVILLE ST.
240 Ft.
Blair Lane
ANNANDALE ST.
Queen Street
Artillery Place
Dresden Row
SOUTH PARK ST.
BRUNSWICK ST.
Market Street
Doyle Street
Spring Garden Road
Street
Clyde Street
Birmingham
Street

Band A Height Control

▬ ▬ ▬ Band A

3

Spring Garden Road
Commercial Area Plan
City of Halifax

Correct as of 26 October, 1989.

200 Ft.

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3. TRANSPORTATION

Objective The maintenance of an adequate network for the circulation of people and goods and of sufficient off-street parking spaces to serve commercial activities in the Spring Garden Road area and in the Central Business District, recognizing Spring Garden Road as a major vehicle destination and traffic artery but also giving consideration to pedestrian safety and comfort.

3.1 Spring Garden Road shall remain a major vehicular and transit route to and from the Central Business District.

3.2 In any development agreement or rezoning pursuant to this Plan, the City shall require, where appropriate, truck loading and unloading facilities so that they do not unnecessarily impede or disrupt other vehicular movements or endanger pedestrians, and are consistent with the policies of this Plan.

3.3 Accommodation of short-term parking shall be made through the use of on-street parking meters and off-street parking lots located throughout the area where consistent with traffic flows.

3.4 Parking requirements for commercial lots of over 20,000 square feet in area shall be established in the Land Use Bylaw so that there continues to be an adequate supply of such space to serve the needs of the Spring Garden Road area as a whole, and part of the adjacent CBD.

3.4.1 The Land Use Bylaw shall provide for 50 percent of the spaces required pursuant to Policy 3.4 to be available to the public for short-term parking.

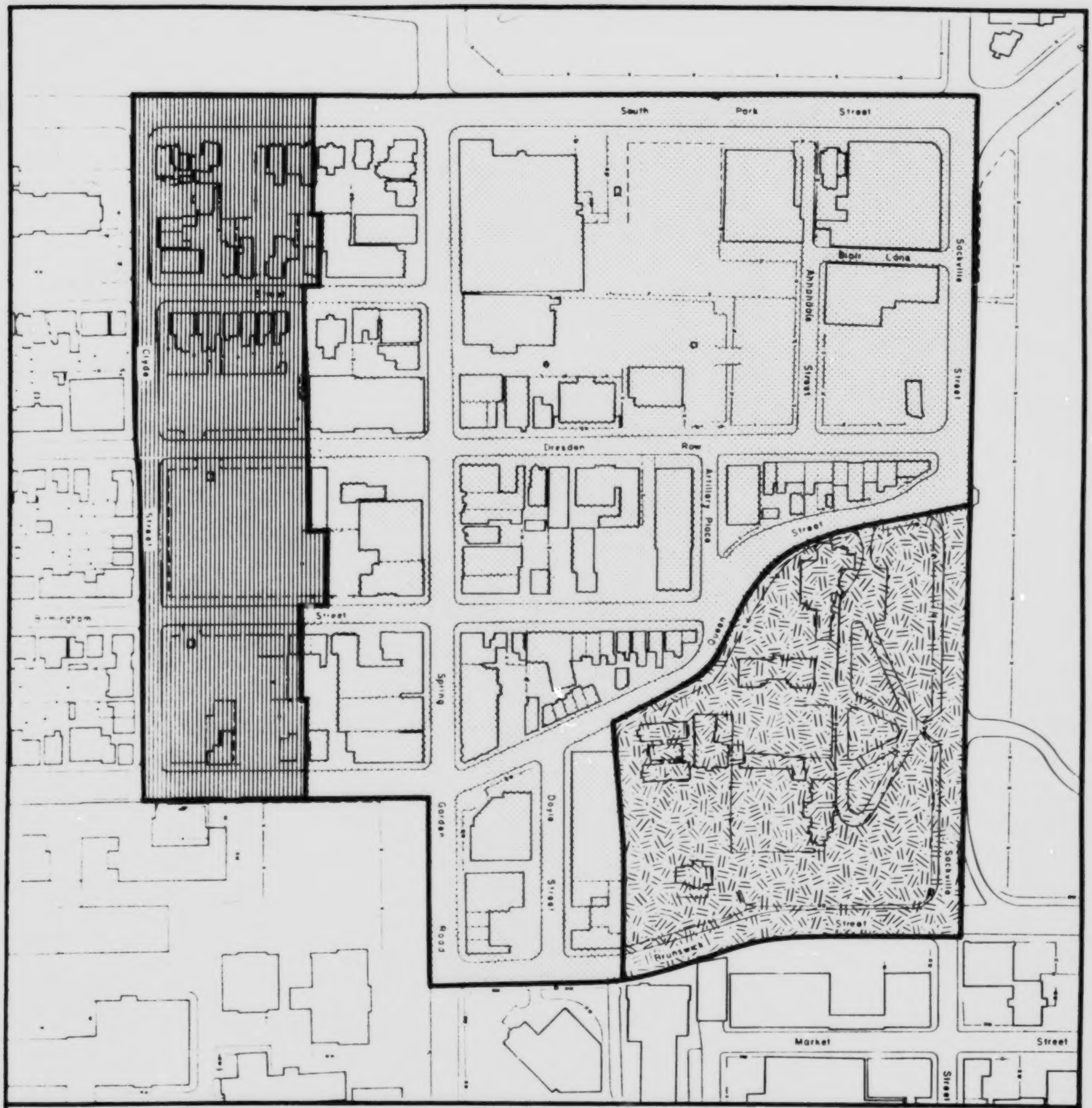
3.4.2 In order to minimize disruption of pedestrian traffic on Spring Garden Road, the City shall require the location of access points to parking areas on streets other than Spring Garden Road.

4. INSTITUTIONS

Objective	The maintenance of existing institutional uses in their present location.
4.1	The City shall encourage the retention of the Royal Artillery Park in its present location and of all its existing buildings consistent with the policies of Part II, Section II of this Municipal Development Plan.

5. GENERALIZED FUTURE LAND USE MAP

Objective	The Generalized Future Land Use Map (9e) should be considered as the expression of intent of the City of Halifax for a future land use pattern based on the policies outlined in this Plan.
5.1	The areas of future land use shown on the Generalized Future Land Use Map shall be determined primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.
5.2	Notwithstanding any other provision of this Plan, a Development Permit may be issued by a Development Officer for a project in respect of which approval was given by Council, and where no decision of the Municipal Board has been given reversing such approval, provided that the development is completed within the time limit specified in the development agreement or, in the absence of such time limit, within one year of the approval of this Plan.


South Park Street
Clyde Street
Birmingham Street
Spring Garden Road
Dresden Row
Artillery Place
Blair Lane
Anhandia Street
Sackville Street
Queen Street
Doyle Street
Brunswick Street
Market Street
Street

Spring Garden Road Commercial Area Plan

Generalized Future Land Use

☐ Commercial

▥ Mixed Residential - Commercial

▨ Institutional

Map I

P200/14621

Metres

0 25 50

City of Halifax
Planning Department

Approved by Council; May 15, 1986.

Approved by Minister of Municipal Affairs; January 6, 1987.

KLW 1-4/HH

SECTION X

MAINLAND SOUTH SECONDARY PLANNING STRATEGY

OBJECTIVES AND POLICIES

DEFINITION OF AREA

For the purpose of this Municipal Development Plan, the Mainland South Secondary Planning Strategy includes all those lands identified on Map 2, generally as described as: all lands generally bounded by the Northwest Arm, to the Armdale Rotary, thence northwesterly along St. Margaret's Bay Road to Keating Road, along Keating Road and the prolongation of Keating Road to the intersection of Samuel Terrace and Brook Street. Thence following a line being 600 feet distant from the northern right-of-way of the CNR right-of-way to the property line of the Fairmount Subdivision. Thence westerly to the property lines of the lands owned by the Public Service Commission. Thence southerly along the eastern property line of the Public Service Commission to the northern right-of-way of the CNR. Thence northwesterly along said right-of-way to the eastern boundary of Northwest Arm Drive; thence along the Northwest Arm Drive southward to the Old Sambro Road; the Old Sambro Road due west to the City Limits; the City Limits on the southwest and south progressing eastward to the Northwest Arm shoreline.

1. RESIDENTIAL ENVIRONMENTS

Objective The development and maintenance of Mainland South as a predominantly residential area with a diverse mixture of family and non-family housing.

1.1.1 "Residential Environments" in terms of this secondary strategy means:

(a) Low-Density Residential;
(b) Medium-Density Residential;
(c) High-Density Residential;
(d) Residential Development District.

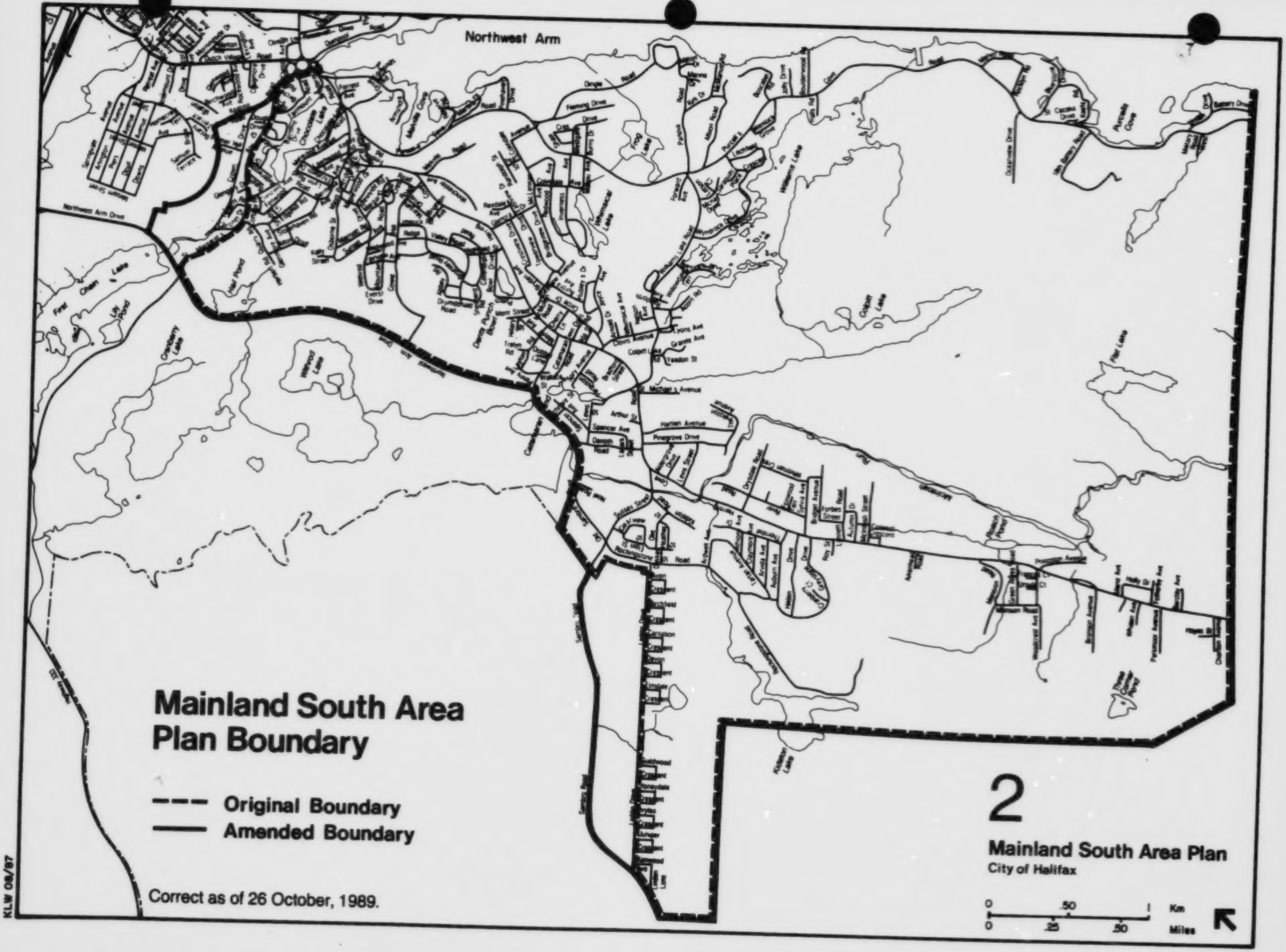
1.1.2 Forms of residential development which may be permitted in Mainland South are:

(a) conversions;
(b) detached dwellings;
(c) semi-detached dwellings;
(d) duplex dwellings;
(e) townhouses; and
(f) apartments.

1.2 In areas designated "Low-Density Residential" on the Generalized Future Land Use Map, which are predominantly single-family dwellings in character, residential development consisting of detached (single-family) dwellings shall be permitted, and neighbourhood commercial uses may be permitted pursuant to Policies 2.1.1 and 2.1.2 of this Plan.

1.2.1 In areas designated "Low-Density Residential" on the Generalized Future Land Use Map, which are predominantly two-family dwellings in character, residential development consisting of detached (single-family) dwellings, semi-detached dwellings and duplex dwellings shall be permitted, and neighbourhood commercial uses may be permitted pursuant to Policies 2.1 and 2.1.2 of this Plan.

1.2.2 In areas designated "Low-Density Residential" on the Generalized Future Land Use Map, which are unserviced by municipal sewer and/or water, the City may permit detached, single-family dwellings with individual on-site sewer and water services.


Northwest Arm
Northwest Arm Drive
Frog Lake
Colpitt Lake
Flat Lake
Williams Lake
Cranberry Lake
Kidston Lake
Lily Pond
St. Michael's Avenue
Pinegrove Drive
Harlen Avenue
Spencer Ave
Arthur St
Lyons Ave
Yeadon St
Clovis Avenue
Fleming Drive
Sambro Road
Rockingstone Road
Forbes Street
Autumn Dr
Bridget Avenue
Helen Drive
Auburn Ave
Oceanview Drive
Sylvia Ave
Purcell's Cove
Inverness
Mountain Road
Everest Drive
Osborne St

Mainland South Area Plan Boundary

- - - Original Boundary
—— Amended Boundary

Correct as of 26 October, 1989.

2

Mainland South Area Plan
City of Halifax

0 .50 1 Km
0 .25 .50 Miles

KLW 08/87

1.3 In areas designated as "Medium-Density Residential" on the Generalized Future Land Use Map, detached dwellings, semi-detached dwellings, duplex dwellings, townhouses and apartments containing a maximum of four units two of which must be family-type, shall be permitted and neighbourhood commercial uses may be permitted pursuant to Policies 2.1.1 and 2.1.2 of this Plan.

1.3.1 In areas designated as "Medium-Density Residential" on the Generalized Future Land Use Map Council may zone to permit apartments provided that their height is limited to a maximum of four storeys and in assessing such rezonings Council shall consider compatibility with the existing neighbourhoods and the adequacy of municipal infrastructure.

1.3.2 Pursuant to Policy 1.3.1, the Land Use Bylaw shall be amended to include regulations which limit the height, density and unit size.

1.3.3 For the purposes of Policies 1.3 family-type units shall mean those with two or more bedrooms conducive to family-type living.

1.4 In areas designated as "High-Density Residential" on the Generalized Future Land Use Map, uses permitted in the low-density and medium-density designation and apartments exceeding four storeys shall be permitted. Apartments in excess of four stories shall be regulated as to size and scale by appropriate regulations in the Bylaw. Apartment dwellings may be composed of both family and non-family type. Neighbourhood commercial uses shall be permitted in apartment dwellings of 100 units or greater.

1.5 Areas designated as "Residential Development District" on the Generalized Future Land Use Map shall be residential development areas planned and developed as a whole or in phases under a unified site design, providing a mixture of residential uses and related recreational, commercial and open space uses, with an emphasis on a mix of dwelling unit types.

1.5.1 Pursuant to Policy 1.5, the Land Use Bylaw shall provide a new zone, the Residential Development District, within which "Low-Density Residential" development and public community facilities shall be permitted and other development shall be permitted only under the contract development provisions of the Planning Act and the requirements in Schedule I.

1.5.2 Notwithstanding Policy 1.5.1, Policy 2.1.4 of Section II shall remain in force and the City shall maintain a Holding Zone until such time as municipal services are available.

1.6 The City shall maintain zoning regulations which encourage stability and maintenance of the prevalent character and integrity of residential neighbourhoods.

1.7 It is the intent of the City to encourage energy efficient and energy conserving residential development and may adopt regulatory controls through the Land Use Bylaw in order to further this intent.

1.8 The Land Use Bylaw shall permit the reconstruction of any non-conforming residential building existing on the date of adoption of this Strategy to the original size and density in the event that said building is destroyed by fire or otherwise.

SCHEDULE I
GUIDELINES FOR RESIDENTIAL DEVELOPMENT DISTRICT

Pursuant to Policy 1.5.1, contract development in any area designated "Residential Development District" on the Generalized Future Land Use Map must conform with the following guidelines:

Uses Which May be Permitted

1. Residential Uses

2. Community Facilities

3. Institutional Uses

4. Neighbourhood Commercial Uses.

Site Development Guidelines

5. Residential

   - a density of twenty-two persons per gross acre shall be permitted. Proposals in excess of twenty-two persons per gross acre may be considered provided that no development shall exceed the capacity of existing or proposed sewers. In calculating the permissible density of any project, the capacities available to the drainage area shall be considered.

   - no more than 15 percent of any area covered by a development agreement may be developed for apartment uses including the building(s), ancillary parking, open space, and landscaping.

   - the design and layout of the portion of new residential developments abutting existing residential areas shall endeavour to protect the character and scale of these areas by attention to such matters as use of open space, landscaping, and ensuring adequate transition between areas of differing building forms and densities.

6. Commercial

   - neighbourhood commercial uses are permitted at or near the intersection of local streets, and on the ground floor of high-density residential buildings.

SCHEDULE I
(Continued)

Landscaping and Open Space

7. At least 5 percent of the area of the district development must be useable, landscaped, open space.

8. No residential or accessory building shall be constructed within 50 feet of any lake, watercourse, or water body. No commercial or accessory structure shall be constructed within 100 feet of any lake, watercourse, or water body.

9. Any proposal to construct a community facility or institutional use within 100 feet of the water's edge should ensure, through the use of landscaping or other means, that adverse effects on water quality will be avoided or ameliorated during and after construction.

10. A landscape plan shall be submitted as part of the approval process and the preservation of natural amenities, including rock outcroppings, groves of trees, mature trees, ponds, streams, shores, and wetlands should be preserved whenever possible.

Circulation

11. Access to arterial or collector streets should be such that additional traffic along local streets in residential neighbourhoods adjacent to the development is minimized.

12. Where common parking areas are provided, they should be so aligned as to restrict through traffic.

General

13. The minimum required site size for a contract within this area shall be three acres.

14. Municipal infrastructure must be adequate to service any proposed development.

2. COMMERCIAL

Objective A variety of commercial and business uses in convenient and accessible locations to serve the area and the City, compatible with adjacent residential neighbourhoods.

2.1 The forms of commercial development provided for shall include neighbourhood commercial uses, minor commercial uses and shopping centres.

2.1.1 Neighbourhood commercial uses are local convenience establishments providing services and the sale of convenience goods intended for the daily needs of immediate neighbourhoods, and shall be regulated in terms of size and type by the Land Use Bylaw.

2.1.2 Except as provided in the Residential Development District, the City may consider new neighbourhood commercial uses in residential designations only through a rezoning process to a neighbourhood commercial zone and provided that the use is located at, or near, a City street intersection.

2.2 Minor commercial uses are commercial facilities as set out in Section II, Policy 2.1.2 serving several neighbourhoods, and may include a range of retail, professional, office and service facilities, and shall be permitted in areas designated "Minor Commercial" on the Generalized Future Land Use Map.

2.2.1 Pursuant to Policy 2.2, the Land Use Bylaw shall regulate parking in respect to location and amount, access lighting, setbacks, side yards and the location, size and treatment of signs.

2.2.2 The City shall amend the Land Use Bylaw to require that landscaping buffering be provided between "Minor Commercial Uses" and "Residential Uses."

2.2.3 Pursuant to Policy 2.2, the Land Use Bylaw shall permit a limited range of motor vehicle repair facilities in areas designation "Minor Commercial" on the Generalized Future Land Use Map. The range of such uses shall be dependent upon their potential conflict with the surrounding commercial and residential uses in respect to intensity of use and any visual, auditory, or other off-site impacts that may be detrimental to surrounding areas.

2.2.4 Further to Policy 2.2.3 the Land Use Bylaw shall require that:

(a) the motor vehicle repair facility be visually screened by fences from abutting residential zones;

(b) any lighting be directed away from abutting residential zones;

(c) all commercial refuse containers be screened from abutting residential zones and the street;

(d) outdoor storage of inoperative motor vehicles, boxes, crates, or any other materials shall be prohibited; and

(e) an area between the street line and the parking area along the part of the street line not required for the curb cut or pedestrian entrance shall be landscaped.

2.3 The City may consider applications for shopping centre development in areas designated "Minor Commercial" through rezoning. In considering such rezoning, the City shall have regard for compatibility with neighbouring residential uses in terms of scale, traffic generation, noise, and lighting.

2.3.1 Pursuant to Policy 2.3, the Land Use Bylaw shall include provisions to regulate location, type of parking surfaces, and access points.

2.4 The designated "Minor Commercial" areas along the Herring Cove Road and Dentith Road are the primary retail and business areas in Mainland South; and minor commercial uses shall be restricted to areas so designated.

3. INSTITUTIONAL

Objective Public and private institutional uses to serve the Mainland South area and the City.

3.1 Institutional development may comprise public, quasi-public and non-commercial private institutional uses devoted to the provision of social, cultural, health, educational and recreational services.

3.1.1 Institutional uses may be considered throughout Mainland South, through rezoning. In considering such rezoning, the City shall have regard for compatibility with neighbouring residential uses in terms of scale, size, intensity of use, traffic generation, and noise.

3.2 The City shall encourage existing institutional uses to remain in their present locations, and shall encourage the re-use of such institutional areas and facilities, consistent with the policies of this Section and Part II, Section II.

4. RECREATIONAL

Objective The provision of recreation facilities in Mainland South at the same level as obtained throughout the City.

4.1 Recreational facilities may comprise indoor or outdoor areas providing opportunities for active and passive recreation.

4.2 The City shall encourage passive recreational uses adjoining the McIntosh Run shoreline including public walkways and bicycle trails along the flood plain area and related environmentally sensitive areas reserved for public use. Such uses should be integrated with adjacent recreational and institutional uses, where considered appropriate.

4.3 The City shall seek to secure passive recreational areas along the McIntosh Run by such means as acquisition through open space dedication as part of the subdivision process or through purchase.

4.4 The City shall continue to seek public access to the Northwest Arm from and including the Edmonds Grounds to the City limits at Purcell's Cove. Such access may include pedestrian or limited vehicular access, and consist of existing and future parks, streets and other public land and rights-of-way. Continuous access along the Arm shall be a priority. However, exceptions to this may be considered based upon detailed consideration of site conditions and the acceptability of alternative means of maintaining a continuous open space system in accordance with Policy 4.6.

4.5 Pursuant to Policy 4.4, the City shall continue to seek control of portions of the pathway fronting on the Northwest Arm through acquisition or dedication of land as part of the land subdivision process.

4.6 The City shall develop a strategy for and seek to establish a continuous passive or active recreational open space system in the Mainland South area; such a system would include public parks, walkways, nature trails and water-oriented activities. The principal components of such a system shall be located adjacent to or in association with the Northwest Arm and shoreline, Williams Lake, Colbart Lake, Long Lake, Kidston Lake, and McIntosh Run.

4.7 The City should negotiate the acquisition of Provincially-owned land west of Purcell's Cove Road adjacent to Fleming Park for recreation purposes.

5. TRANSPORTATION

Objective Sufficient, effective, and efficient transportation to serve the Mainland South area and the City.

5.1 The City shall pursue completion of the widening and realignment of the Herring Cove Road between the Armdale Rotary and the City limits to improve traffic flow.

5.2 The City shall seek to minimize through traffic on local residential streets.

5.3 The City shall maintain pedestrian crosswalks on arterial and collector streets, and should ensure, provide, and maintain overhead illuminated signs at uncontrolled zebra crosswalks, particularly in commercial and high-density residential areas.

5.4 The City shall continue to review its existing street design standards and construction standards to account for particular neighbourhood characteristics and constraints.

5.5 In considering capital projects in the Mainland South area with respect to street improvements, the City shall give priority to those public streets serving:

(a) as public transit routes;

(b) commercial or industrial uses;

(c) high-density residential areas;

(d) as direct access to public recreation uses, community facilities and public schools; and

(e) as local streets.

5.6 In the development of the Long Lake area, the watershed lands to the east of Northwest Arm Drive and the Nova Scotia Department of Housing lands, the City shall seek transportation routes and designs which minimize through traffic in adjacent residential areas.

6. MUNICIPAL SERVICES

Objective Adequate sanitary and storm water disposal systems to maintain environmental quality.

6.1 The City shall continue to improve and upgrade sanitary and storm sewer infrastructures in accordance with City standards.

6.1.1 The City shall continue measures for the reduction of infiltration in sanitary sewers with specific regard to connections of roof and foundation drains to sanitary sewers.

6.2 The City shall discourage the practice of disposing uncontrolled and unmanaged storm water directly into inland lakes and waterways.

6.2.1 The City shall investigate alternative measures for flooding and drainage control, and erosion and sedimentation control with regard to the disposal of storm water, and shall develop appropriate regulations or legislation to implement such measures.

6.3 Through negotiation with the Nova Scotia Department of the Environment, the City shall seek the preservation of the McIntosh Run waterway as an open channel for storm water.

6.3.1 The City shall encourage measures for protective management of natural flood plain areas along McIntosh Run between Long Lake and the City limits, as outlined on Map 7 of this Plan, and shall negotiate with the Provincial Government to further this intent.

6.3.2 The City shall have regard for potential environmental effects of installing municipal services within flood plain areas of the McIntosh Run.

7. ENVIRONMENT

Objective Identify and protect environmentally sensitive and ecologically valuable natural features.

7.1 Environmental sensitivity shall be considered as of the degree of susceptibility of natural areas to deleterious effects of urban development. Areas of high sensitivity are identified on the Environmental Sensitivity Maps. These maps shall be used as general resource documents in evaluating zone changes and contract development applications.

7.1.1 Pursuant to Policy 7.1 the following features are used to identify such areas:

(a) tree cover - 40 percent and greater in density;

(b) exposed bedrock;

(c) wetlands and streams;

(d) slopes - 16 percent and greater.

7.1.2 Lands within 100 feet of the water's edge of any water body shall be considered to be environmentally sensitive and the Land Use Bylaw shall require a higher standard for new single-family lots adjacent to watercourses.

7.2 The Environmental Sensitivity Map may be used in assessing the effects of capital work to be undertaken by the City.

7.3 Where development proposals are being considered through rezoning or development agreement, the City shall protect environmentally sensitive areas.

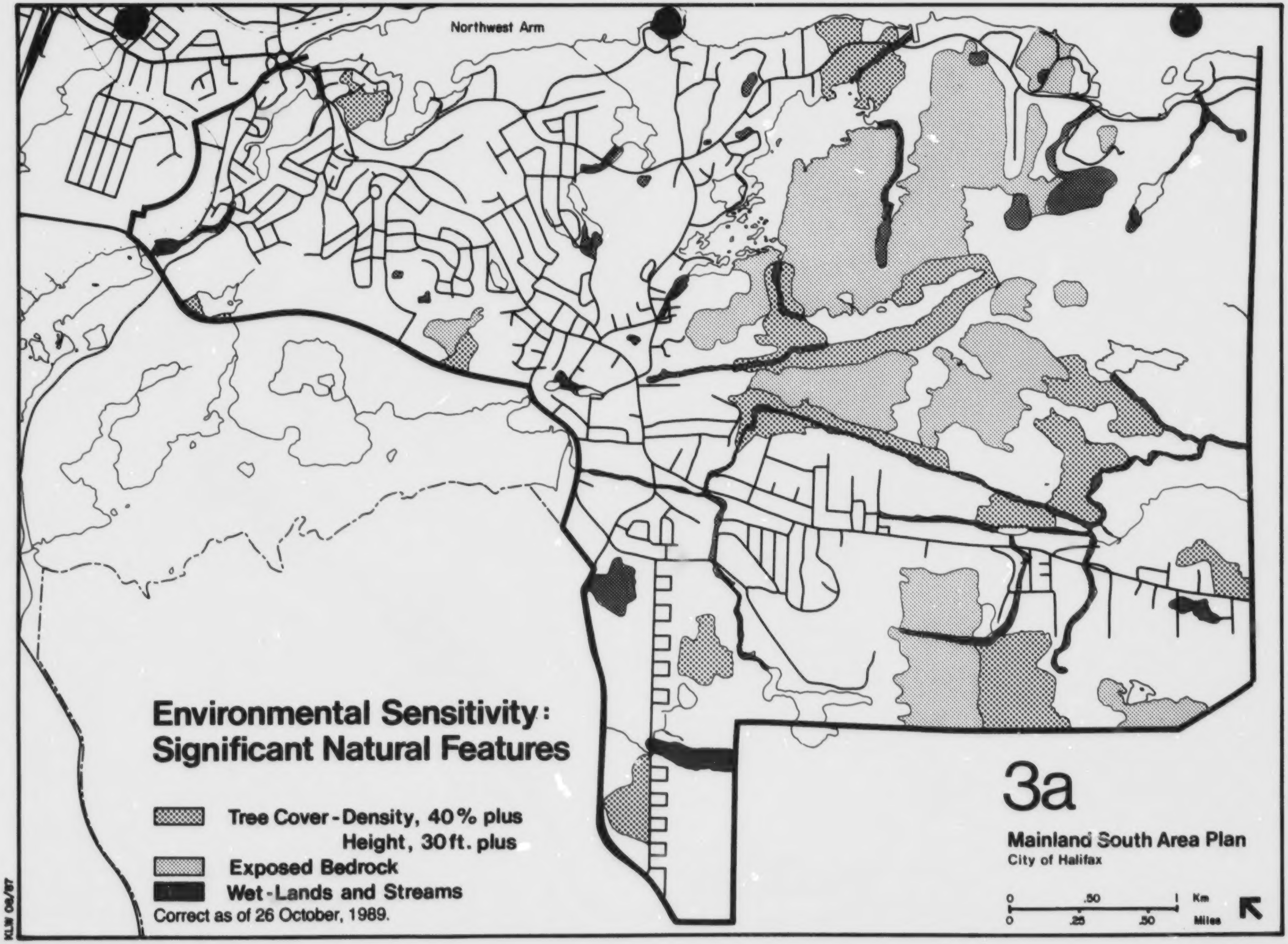
7.4 The City shall require setbacks for new development adjacent to lakes, watercourses or waterbodies for the purposes of maintaining and enhancing a high quality lakes and waterways system for development considered pursuant to Policy 1.5.1.

7.4.1 The City shall undertake an analysis of flooding along the McIntosh Run and prepare suitable policy and regulatory controls to protect the watercourse.

7.4.2 Pending the completion of the study outlined in Policy 7.4.1, the City shall amend its Land Use Bylaw to require a setback for all new development of one hundred feet from the McIntosh Run.

7.5 Environmentally sensitive areas in public ownership should be preserved in their natural state and utilized for limited park and recreation uses.

7.6 The City shall attempt to minimize using salt on streets in areas where contamination of groundwater and wells is likely or apparent, and to accomplish this shall identify areas subject to potential contamination as a result of salt use.


Northwest Arm
0 .50 1 Km
0 .25 .50 Miles
KLW 08/87

Environmental Sensitivity: Significant Natural Features

▨ Tree Cover - Density, 40 % plus
Height, 30 ft. plus

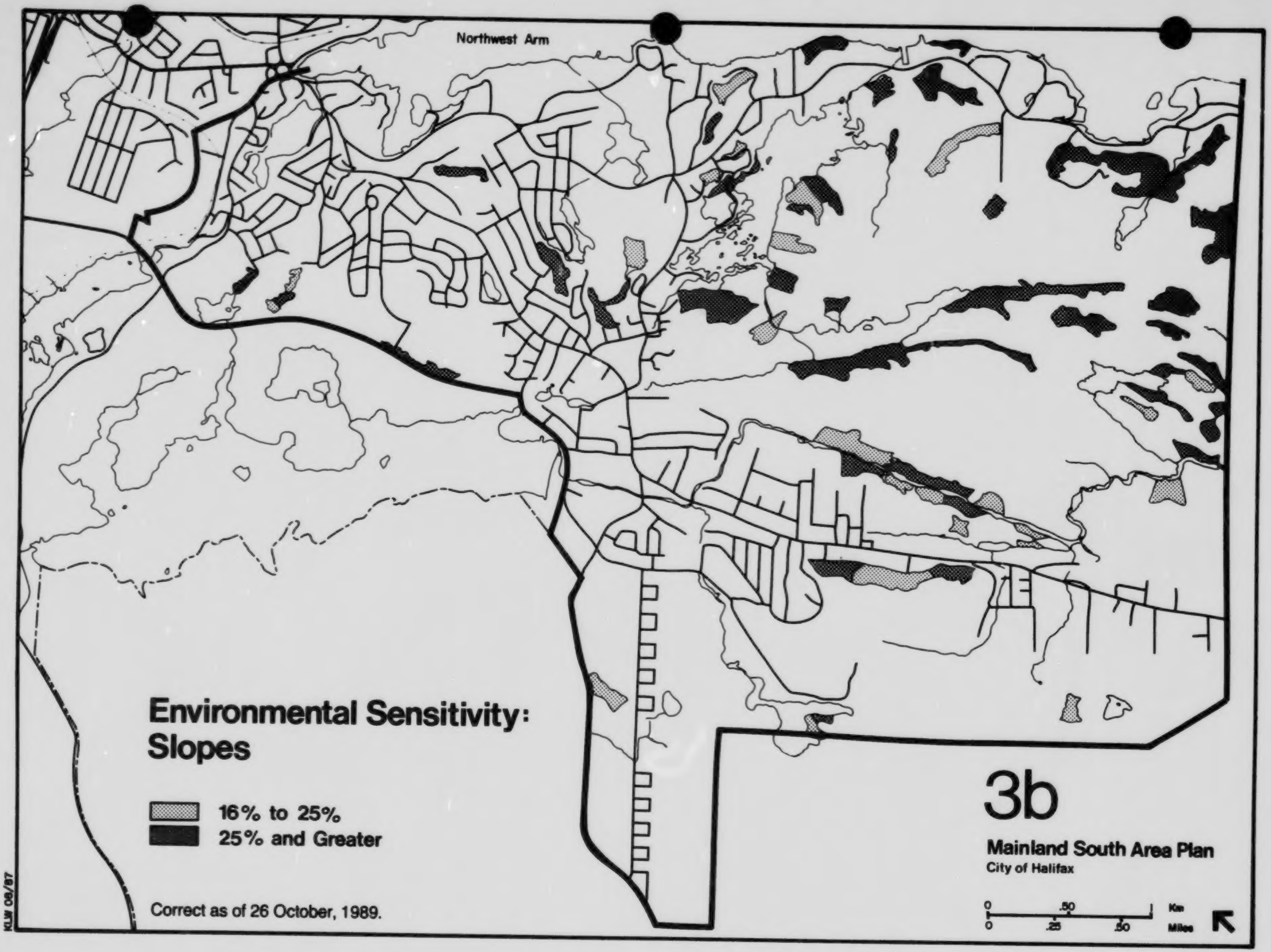
▨ Exposed Bedrock

■ Wet - Lands and Streams

Correct as of 26 October, 1989.

3a

Mainland South Area Plan
City of Halifax


Northwest Arm
0
.50
Km
0
.25
.50
Miles
KLW 08/87

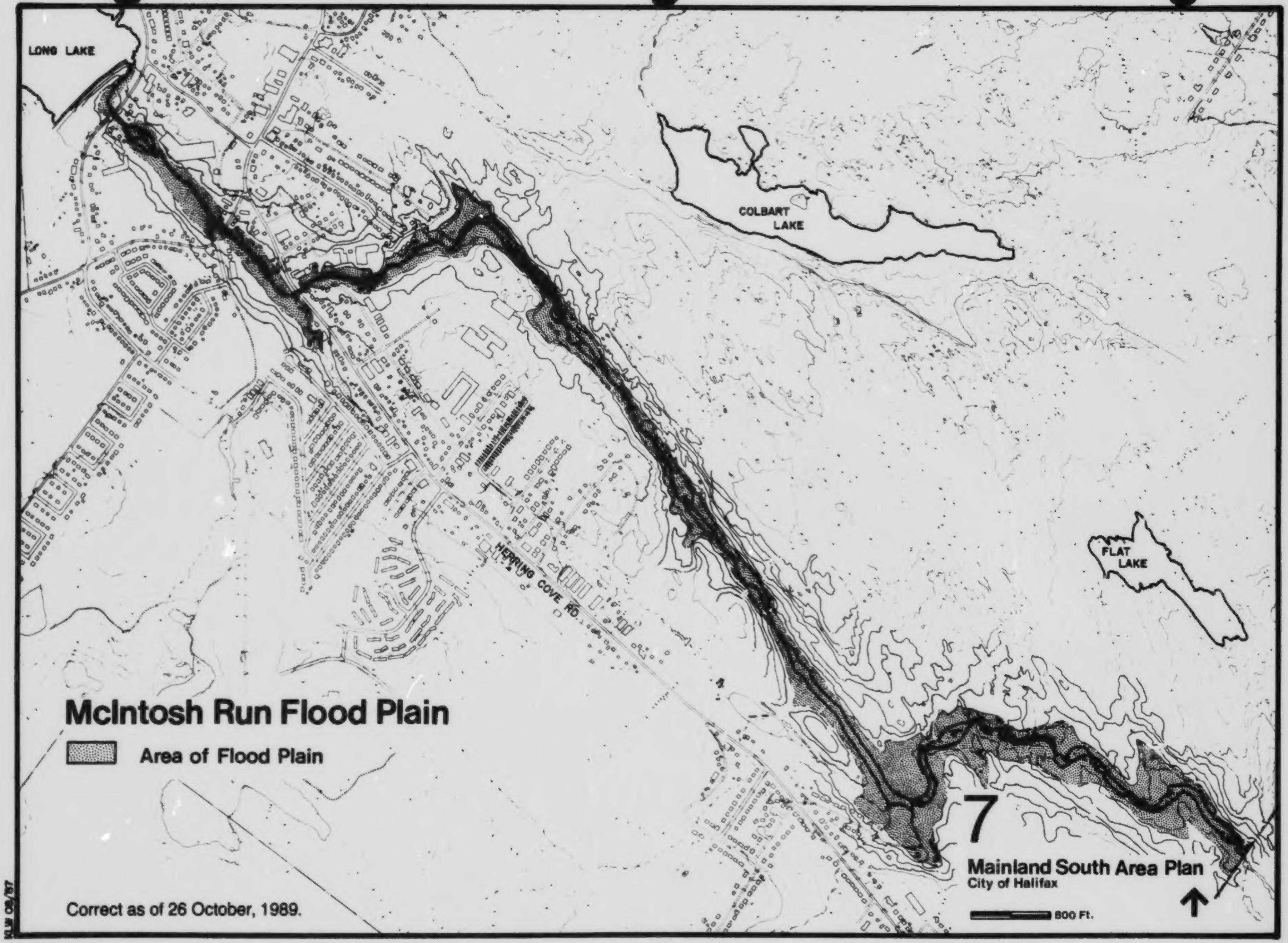
Environmental Sensitivity: Slopes

▨ 16% to 25%
■ 25% and Greater

Correct as of 26 October, 1989.

3b

Mainland South Area Plan
City of Halifax



LONG LAKE
COLBART LAKE
FLAT LAKE
HERRING COVE RD.
800 Ft.

McIntosh Run Flood Plain

▨ Area of Flood Plain

Correct as of 26 October, 1989.

7

Mainland South Area Plan
City of Halifax

KLW 08/87

8. GENERALIZED FUTURE LAND USE MAP

8.1 The Generalized Future Land Use Map shall be considered as the expression of intent of the City of Halifax for a future land use pattern, based on the policies outlined in this Strategy.

8.2 The areas for future land use shown on the Generalized Future Land Use Map shall be governed primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.

8.3 Notwithstanding any other provision of this Strategy, a Development Permit may be issued by the Development Officer in respect of which approval was given by Council, and where no decision of the Municipal Board has been given reversing such approval, provided that the development is completed within the time limit specified in the development agreement or, in the absence of such time limit, within one year of the approval of this Strategy.

SECTION XII

QUINPOOL ROAD COMMERCIAL AREA PLAN

OBJECTIVES AND POLICIES

AREA DEFINITION

For the purposes of this municipal planning strategy, the Quinpool Road Commercial Area Plan includes the area shown on Map 1.

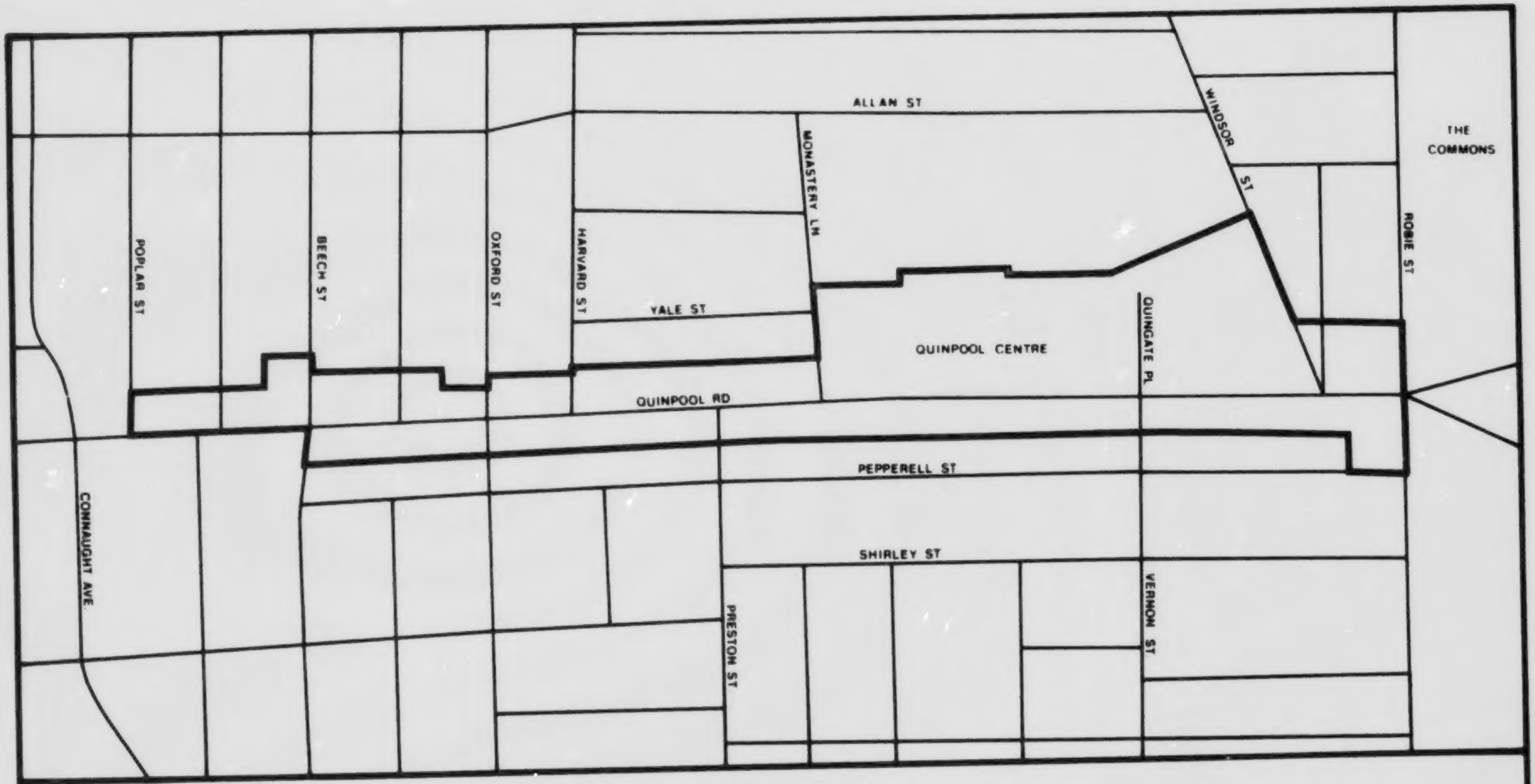
OVERALL OBJECTIVE

The encouragement of commercial and mixed commercial/residential development which strengthens the community function of the Quinpool Road area, and is in keeping with the scale and character of the adjacent residential neighbourhoods.

1. RESIDENTIAL ENVIRONMENTS

1. The areas shown as Residential Environments on the Generalized Future Land Use Map (Map 9h) of this Section shall be governed by Section II, the Residential Environments Policy Set.

1.1 The City shall encourage the retention of the dwelling at 2018 Kline Street.


ALLAN ST
WINDSOR ST
THE COMMONS
ROBIE ST
MONASTERY LN
POPLAR ST
BEECH ST
OXFORD ST
HARVARD ST
YALE ST
QUINPOOL CENTRE
QUINGATE PL
QUINPOOL RD
PEPPERELL ST
CONNAUGHT AVE
SHIRLEY ST
PRESTON ST
VERNON ST

Quinpool Road Commercial Area Plan Boundary

1

Quinpool Road Commercial Area Plan
City of Halifax

400 Ft

↗

Correct as of 26 October, 1989.

KLW 06.87

2. COMMERCIAL FACILITIES

Objective The development and promotion of Quinpool Road as a general retail, office, personal service and business service area including mixed residential/commercial uses within the presently established commercial area.

2.1 The Quinpool Road Commercial area should service a market area comprising a large part of the City. Due to this extended market area, and its relative importance to the City as a focus of commercial activity, this centre shall be encouraged to offer a wider range of commercial activity than normally associated with a minor commercial centre as established in Policy 3.1.2 of Part II, Section II of the Commercial Policy Set.

2.1.1 In areas designated "Commercial" on the Generalized Future Land Use Map (Map 9h) of this Section, the City shall permit the following uses: retail shops and rental services, personal services, household repair shops, offices, parking structures, parking lots, bakeries, service stations, restaurants, wholesale uses in conjunction with retail uses, institutions, commercial schools, business services, and residential uses in single-use or mixed-use buildings.

2.2 The City shall establish a height precinct to regulate new development generally consistent with existing development in adjacent residential areas. This height shall be 35 feet to the west of Oxford Street and 45 feet to the east of Oxford Street.

2.2.1 Notwithstanding Policy 2.1.1 and Policy 2.2 the properties known as the Holiday Inn and 6009 Quinpool Road shall be zoned in accordance with their present use and height of the buildings situated thereon the date of approval of this Section and the property known as the Eastland Centre shall be zoned for major commercial uses.

2.3 Repealed.

2.4 For any parking lot or area used for parking, the Land Use Bylaw shall require that:

(a) the parking area be provided and maintained with a hard surface of asphalt or concrete;

(b) the parking area be visually screened by walls or fences from adjacent residential properties;

(c) any lighting be directed away from adjacent residential properties;

(d) the parking surface be set back from the streetline and the intervening area be appropriately screened and landscaped to adequately buffer the parking lot from the street; and

(e) all commercial refuse containers be screened from adjacent residential properties and the street.

2.5 For the area known as the "Quinpool Road Lands" namely Quinpool Centre and Quinpool Towers, the City shall permit only that amount of non-residential floorspace allowed by the Development Agreement of April, 1977.

2.5.1 The City shall establish a height precinct over the Quinpool Centre and Quinpool Towers consistent with the existing height of the developments.

2.6 For buildings with a total commercial floorspace greater than 2,500 square feet the Land Use Bylaw shall require that parking be provided at 1 space per 1,000 square feet of commercial floorspace.

2.7 Property owners shall be encouraged to create pedestrian linkages between Quinpool Road and adjacent residential streets.

3. COMMUNITY FACILITIES

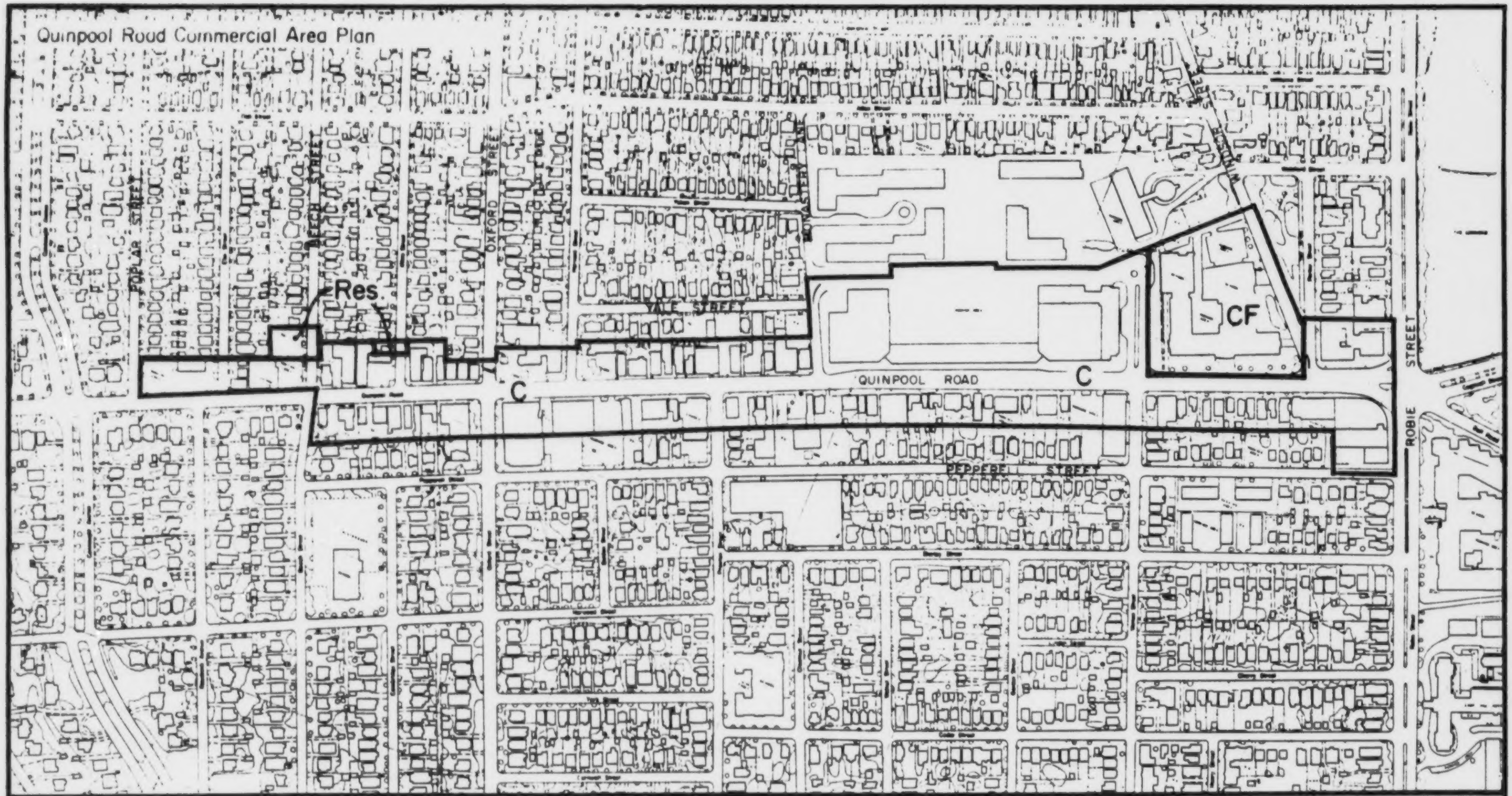
3. The area designated "Community Facilities" on the Generalized Future Land Use Map (Map 9h) of this Section shall be governed by Part II, Section II, the Community Facilities Policy Set.

4. GENERALIZED FUTURE LAND USE MAP

4.1 The Generalized Future Land Use Map (Map 9h) shall be considered as the expression of intent of the City of Halifax for a future land use pattern, based on the policies outlined in this Section.

4.2 The areas of future land use shown on the Generalized Future Land Use Map (Map 9h) shall be determined primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.

4.3 Notwithstanding any other provision of this Section, a Development Permit may be issued by the Development Officer for a project in respect of which approval was given by Council prior to the date of approval of this Section, and where no decision of the Municipal Board has been given reversing such approval, provided that the development is completed within the time limit specified in the development agreement.


Quinpool Road Commercial Area Plan
POPLAR STREET
BEECH STREET
Res.
OXFORD STREET
YALE STREET
C
QUINPOOL ROAD
C
CF
PEPPERELL STREET
ROBIE STREET

Generalized Future Land Use

Case Number 4286
Plan Number P200/15376

Map 2
(Map 9h)

C Commercial
CF Community Facilities
Res. Residential Environments

Approved by Council; July 31, 1986.

Approved by Minister of Municipal Affairs; December 22, 1986.

Feet
0
200
400

KLW 04/86

IMPLEMENTATION POLICIES

GENERAL

1. The City of Halifax Municipal Development Plan provides the major framework to guide decision-making with respect to development in the City. This Plan shall be implemented through the powers of City Council under the Planning Act, the Halifax City Charter, and such other statutes as may apply.

2. The City shall follow and maintain a system of ongoing planning generally as detailed in Part III of this document.

ZONING

3. Pursuant to the authority of Section 33 of the Planning Act, the City shall adopt the Zoning Bylaw, Mainland Area and the Zoning Bylaw, Peninsula Area, both of the City of Halifax substantially as they presently exist to further the objectives and policies of this Plan, except those bylaws shall first be revised according to the directions established by the detailed policies below.

3.1 In accordance with Part II, Section II, Policy 2.4.2 of this Plan, the City shall adopt the aforesaid present provisions and zoning schedules of the City of Halifax for all "hard" areas, substantially as shown on Map 2, Section II of this Plan, which are located outside areas designated for detailed planning as shown on Map 3, Section II of this Plan.

3.1.1 The City shall review all applications to amend the zoning bylaws or the zoning map in such areas for conformity with the policies of this Plan with particular regard in residential areas to Section II, Policy 2.4.

3.2 For those areas identified in Section II, Policy 2.5.2 of this Plan, the City shall, pursuant to the authority of Section 33(2)(b) of the Planning Act, establish such development control regulations as are necessary to implement the policies of this Plan.

3.2.1 Further to Policy 3.2 above, the areas identified in Section II, Policy 2.5.2 and numbered 4, and 9 shall be identified on the zoning map, and within such areas no development permit for multiple-unit residential development of over 50 feet in height or 25 units, or for a commercial or institutional development of over 35 feet in height or 5,000 square feet in floor area shall be issued, except under an agreement with Council pursuant to Section 34(1) of the Planning Act.

3.2.1.1 Notwithstanding Policy 3.2.1, the area described in the Implementation Policies - Schedule I shall be identified on the zoning map, and within this area the City shall adopt such Zoning Bylaw provisions as are necessary to carry out the intent of this Plan including the provisions that no development permit for (1) multiple-unit residential development of over 35 feet in height, or a floor area ratio of 1.0, or 25 units, or for (2) a commercial or institutional development of over 35 feet in height or 5,000 square feet in floor area shall be issued, except under an agreement with Council pursuant to Section 34(1) of the Planning Act.

3.2.2 Repealed.

3.2.3 Repealed.

3.2.4 In entering into agreements pursuant to Policies 3.2.1, and, above, Council shall be guided by the policies contained in Section II of this Plan, and shall not enter into agreements which are inconsistent with the policies of this Plan.

3.2.5 Prior to entering into any agreements pursuant to Policies 3.2.1, and, Council shall advertise its intention to do so and shall hold a public hearing at which time any objections shall be heard.

3.2.6 The City should amend this plan and accompanying zoning bylaws as appropriate upon the completion of detailed area plans through the provisions of the Planning Act.

IMPLEMENTATION POLICIES

SCHEDULE I

Beginning at a point on the centre line of Barrington Street intersected by the prolongation of the northern boundary of Foundry Lane;

Thence in a westerly direction along the northern boundary of Foundry Lane to the centre line of Mitchell Street;

Thence in a southerly direction along the centre line of Mitchell Street to a point intersected by the prolongation of the northern boundary of the lands of Edmonds Brothers Enterprises Limited;

Thence along the northern boundary of the lands of Edmonds Brothers Enterprises Limited to the centre line of South Bland Street;

Thence in a northerly direction along the centre line of South Bland to the point of intersection with the southern boundary of Inglis Street;

Thence in a westerly direction along the southern boundary of Inglis Street to a point intersected by the prolongation of the western boundary line of the property known as Civic No. 5515 Inglis Street;

Thence in a northerly direction along the western boundary line of the property known as Civic No. 5515 Inglis Street and the rear property boundaries of the lots fronting on Bland Street to a point known as the northwest corner of the property known as Civic No. 1050 Bland Street;

Thence in a westerly direction to the southwest corner of the property known as Civic No. 1052 Bland Street;

Thence in a northerly direction to the centre line of Victoria Road;

Thence in a westerly direction along the centre line of Victoria Road to the centre of the intersection of Lucknow Street and Victoria Road;

Thence in a southerly direction along the centre line of Lucknow Street to the centre of Inglis Street;

Thence in a westerly direction along the centre line of Inglis Street to the centre of the intersection of South Park and Inglis Streets;

SCHEDULE I (cont'd)

Thence in a northerly direction along the centre line of South Park Street to a point intersected by the prolongation of the northerly boundary line of the property known as Civic No. 5691 Inglis Street;

Thence in an easterly direction to the southwest corner of the property known as Civic No. 5672 Rhuland Street;

Thence in a northerly direction to the centre line of Rhuland Street;

Thence in an easterly direction along the centre line of Rhuland Street to a point intersected by the prolongation of the rear property line of the lot known as Civic No. 1040 Lucknow Street;

Thence in a northerly direction along the rear line of the properties fronting on Lucknow Street through to the centre of Victoria Road;

Thence westerly along the centre line of Victoria Road to the centre of the intersection of Victoria Road and South Park Street;

Thence in a northerly direction along the centre line of South Park Street to a point intersected by the prolongation of the northern boundary of the property known as Civic No. 1128 South Park Street;

Thence in a westerly direction along the northern boundary of the property known as Civic No. 1128 South Park Street and the southern boundary of the property known as Civic No. 1133 Tower Road through to the western boundary of Tower Road;

Thence in a northerly direction along the western boundary of Tower Road to the northern boundary of South Street;

Thence in an easterly direction along the northern boundary of South Street to a point intersected by the prolongation of the eastern boundary line of the property known as Civic No. 5648 South Street;

IMPLEMENTATION POLICIES

SCHEDULE I (cont'd)

Thence in a southerly direction to the southeast corner of the property known as Civic No. 5648 South Street;

Thence in an easterly direction along the rear boundary line of the properties known as Civic No. 5643 and 5639 Fenwick Street to the northeast corner of the property known as Civic No. 5639 Fenwick Street;

Thence in a southerly direction along the eastern boundary of the property known as Civic No. 5639 Fenwick Street through to the centre line of Fenwick Street;

Thence in an easterly direction along the centre line of Fenwick Street to a point intersected by the prolongation of the western boundary line of the property known as Civic No. 5579 Fenwick Street;

Thence in a northerly direction along the western boundary of the property known as Civic No. 5579 Fenwick Street to the northwest corner of that property;

Thence in an easterly direction along the rear property line of the properties fronting on Fenwick Street to the southwest corner of the property known as Civic No. 1162 Queen Street;

Thence in a northerly direction along the rear property line of the properties fronting on Queen Street to the northwest corner of the property known as Civic No. 1178 Queen Street;

Thence in an easterly direction along the northern boundary of the property known as Civic No. 1178 Queen Street through to the centre line of Queen Street;

Thence in a northerly direction along the centre line of Queen Street to a point intersected by the prolongation of the northern boundary line of Fort Massey Cemetery;

Thence in a westerly direction along the northern boundary line of the Fort Massey and Holy Cross Cemeteries through to the centre line of South Park Street;

Thence in a northerly direction along the centre line of South Park Street to the centre of the intersection of South Park and Morris Streets;

SCHEDULE I (cont'd)

Thence in an easterly direction along the centre line of Morris Street to the prolongation of the centre line of Brenton Street;

Thence in a northerly direction along the centre line of Brenton Street to the centre of the intersection of Brenton and Clyde Streets;

Thence in a westerly direction along the centre line of Clyde Street to the centre line of South Park Street;

Beginning at the intersection of the centre lines of South Park Street and Clyde Street, thence in a northerly direction along the centre line of South Park Street to a point intersected by the prolongation of the southern boundary line of the property known as Civic No. 1477 South Park Street;

Thence in an easterly direction along the southern boundary line of the property known as Civic No. 1477 South Park Street and the northern boundary line of the property known as Civic No. 1474 Brenton Street through to the centre line of Brenton Street;

Thence in a northerly direction along the centre line of Brenton Street to a point intersected by the prolongation of the northerly boundary line of the property known as Civic No. 1477 Brenton Street;

Thence in an easterly direction along the northern boundary of that property known as Civic No. 1477 Brenton Street to the northeast corner of that lot;

Thence in a southerly direction along the rear boundary lines of the lots fronting on Brenton Street through to the centre line of Clyde Street;

Thence in a westerly direction along the centre line of Clyde Street to the point of origin;

Thence in an easterly direction along the northerly boundary of Clyde Street to the easterly boundary of Queen Street;

Thence in a southerly direction along the easterly boundary of Queen Street to a point 200 feet to the north of the centre line of Morris Street;

SCHEDULE I (cont'd)

Thence in an easterly direction along the line 200 feet to the north of Morris Street through to the prolongation of the centre line of Church Street;

Thence in a southerly direction along the centre line of Church Street to a point intersected by the prolongation of the southern boundary of the property known as Civic No. 1255-57 Church Street;

Thence in an easterly direction along the southern boundary of the property known as Civic No. 1255-57 Church Street and the rear of the properties fronting on Harvey Street to the northeast corner of the property known as Civic No. 5271-73 Harvey Street;

Thence in a northerly direction to a point on the rear boundary line of the property known as Civic No. 5270 Morris Street;

Thence in a westerly direction to the southwest corner of the property known as Civic No. 5274 Morris Street;

Thence in a northerly direction to the centre line of Morris Street;

Thence in an easterly direction along the centre line of Morris Street to a point intersected by the prolongation of the eastern boundary of the property known as Civic No. 5270 Morris Street;

Thence in a southerly direction to the southeast corner of the property known as Civic No. 5270 Morris Street;

Thence in an easterly and northerly direction circumventing the property known as Civic No. 5264 Morris Street through to the centre line of Morris Street;

Thence in an easterly direction along the centre line of Morris Street to the centre of the intersection of Morris and Barrington Streets;

Thence in a northerly direction along the centre line of Barrington Street to the centre of the intersection of Barrington and Bishop Streets;

SCHEDULE I (cont'd)

Thence in an easterly direction along the centre line of Bishop Street to the centre of the intersection of Bishop and Hollis Streets;

Thence in a southerly direction along the centre line of Hollis Street to its prolongation to the intersection with Barrington Street;

Thence in a southerly direction along the centre line of Barrington Street to a point intersected by the prolongation of the centre line of Green Street;

Thence in a westerly direction along the centre line of Green Street to a point intersected by the prolongation of the western boundary of the property known as Civic No. 5222 Green Street;

Thence southerly, easterly and westerly along the boundary of the property known as Civic No. 5222 Green Street to a point on the property's eastern boundary line intersected by the prolongation of a line coincident with the north wall of the existing building located on the property known as Civic No. 1062 Barrington Street;

Thence in an easterly direction along said line through to the centre line of Barrington Street;

Thence in a southerly direction along the centre line of Barrington Street to the place of beginning.

3.3 For those undeveloped soft areas identified in Section II, Policy 2.5.4, plus the area of land of Ashburn Golf Course, the City shall, pursuant to the authority of Section 33(2)(c) of the Planning Act, establish such development regulations as are necessary to implement the policies of this Plan.

3.3.1 Further to Policy 3.3 above, these areas shall be identified on the zoning map and within such areas no development permit shall be issued unless the proposed development has been approved by a resolution of Council, and further, except under an agreement with Council pursuant to Section 34(1) of the Planning Act.

3.3.2 Further to Policy 3.3.1 above, the purpose for which land within these areas is to be developed shall be primarily residential, and an emphasis shall be placed on a mix of housing types, shall include provision for local commercial uses that are intended to serve the residents of the immediate area, and shall include provision for automobile, transit and pedestrian circulation and an emphasis on conservation of natural environment features including lakes and waterways, mature trees and natural topographic features. In addition to the above, City Council may consider provision for minor commercial uses in accordance with Policy 3.1.2 in Section II, provided that such uses are consistent with the policies of this Plan, are compatible in design form and function with comprehensively planned development and with development adjacent to a comprehensively planned development, and that such uses are located in such manner as to be in accord with Policy 2.4.1 of Section II, as the principles of said policy may apply to areas of vacant land.

3.3.3 The City shall prepare and adopt plans for major public facilities including the location of collector roadways, schools and major community open space in the residentially designated undeveloped areas of the City.

3.3.4 In entering into agreements pursuant to Policy 3.3.1 above, Council shall be guided by the policies contained in Section II of this Plan, and shall not enter into agreements which are inconsistent with the policies of this Plan.

3.3.5 Prior to entering into any agreements pursuant to Policy 3.3.1, Council shall advertise its intention to do so and shall hold a public hearing at which time any objections shall be heard.

3.4 For all areas identified with reference to Section II, Policy 2.5.4 and which are not indicated as undeveloped land on Map 4 of this Plan, the City shall review and revise the zoning as appropriate within the policies of this Plan within one (1) year of the date of approval of this Plan.

3.5 For those areas identified in Sections III and IV, Maps 10 and 14 respectively of this Plan, the City shall pursuant to the authority of Section 33(2)(b) of the Planning Act, establish such development control regulations as are necessary to implement the policies of this Plan.

3.5.1 Further to Policy 3.5 above, the areas identified on Map 10 of this Plan as the Business District, excepting that area of the CBD which falls within the Halifax Waterfront Development Area as identified on Map 14, shall be identified on the zoning map and within such area no development permit for a development of over 40 feet shall be issued, except under an agreement with Council pursuant to Section 34(1) of the Planning Act.

3.5.2 Further to Policy 3.5 above, the areas identified on Map 14 of this Plan as the "northern" and "southern" sub-areas of the Halifax Waterfront Development Area shall be identified on the zoning map and within such area no development permit for a development of over 25 feet shall be issued, except under an agreement with Council pursuant to Section 34(1) of the Planning Act.

3.5.3 Further to Policy 3.5 above, the area identified on Map 14 of this Plan as the "CBD" sub-area of the Halifax Waterfront Development Area shall be identified on the zoning map and within such area no development permit for a development of over 25 feet shall be issued, except under an agreement with Council pursuant to Section 34(1) of the Planning Act.

3.5.4 In entering into agreements pursuant to Policy 3.5.1 above, Council shall be guided by the policies contained in Section III of this Plan and shall not enter into agreements which are inconsistent with the policies of this Plan.

3.5.5 In entering into agreements pursuant to Policies 3.5.2 and 3.5.3 above, Council shall be guided by the policies contained in Section IV of this Plan and shall not enter into agreements which are inconsistent with the policies of this Plan.

3.5.6 Prior to entering into any agreements pursuant to Policies 3.5.1, 3.5.2 and 3.5.3, Council shall advertise its intention to do so and shall hold a public hearing at which time any objections shall be heard.

3.6 In accordance with Section II, Policy 2.1.4 the City shall establish a holding zone to be in effect at least until such time as the detailed area plan for Mainland South is adopted and approved as an amendment to this Plan.

3.6.1 Repealed.

3.7 It shall be the intention of the City, subject to further study, to draft a new zoning bylaw which would more precisely reflect the intents of this Plan.

3.7.1 The City should from time to time review the zoning bylaws of the City to seek ways in which they may be brought into greater harmony with this Plan.

3.8 Repealed.

3.9 Pursuant to Section II, Policies 4.1, 4.5 and 7.4 and Section II, Map 9, the City shall establish a zone to be applied to these areas and within such zone the City shall permit only harbour-related industrial use and recreation use.

3.10 Further to Policies 1.7, 2.5, 2.6, 2.6.1, 3.3, 5.1.1, 7.2.1.1, 7.2.6, 7.2.6.1, 7.3.1.1, 7.5.2.1, 7.5.4, 7.5.5, 7.6.1, 7.7.3, 7.8.2.1 and 7.8.2.2 respectively in Section V of this Plan, the City may, pursuant to the authority of Section 33(2)(b) of the Planning Act, issue a development permit under an agreement with Council pursuant to Section 34(1) of the Act for a development which would not otherwise meet the provisions of the Zoning Bylaw.

3.10.1 In entering agreements pursuant to Policy 3.10, Council shall be guided by the policies contained in Section V of this Plan, and shall not enter into agreements which are inconsistent with those policies of this Plan.

3.11 Further to Policies 1.8, 1.12, 6.1.1, 8.1.2, 8.1.3, 8.1.4, 8.3.3, 8.3.4, 8.3.5 and 8.3.6 respectively in Section VI of this Plan, the City may, under the development agreement provisions of the Planning Act, issue a development permit for a development which would not otherwise meet the provisions of the Land Use Bylaw.

3.11.1 In entering agreements pursuant to Policy 3.11, Council shall be guided by the policies contained in Section VI of this Plan, and shall not enter into agreements which are inconsistent with those policies of this Plan.

3.12 For areas designated as "industrial" or "commercial" excluding the Central Business District and areas designated for detailed planning pursuant to Section II, Policy 2.5.2, and for which intensive development may have significant environmental or land use impacts, the City may amend its Zoning Bylaw to provide for developments under Section 33(2)(b) of the Planning Act.

3.13 The City may, pursuant to the authority of Sections 33(2)(b) and 34(1) of the Planning Act permit amusement centres as defined in the Zoning Bylaw in the Central Business District (MDP Map 10), in shopping centres as established in Council's judgement by Part II, Section II, Policy 3.1.4 and in major commercial areas determined by Council in their judgement or through detailed plans for individual areas, pursuant to Policy 3.1.3 of Part II, Section II.

3.13.1 The City may, for greater clarity, specify the area within the Zoning Bylaw, the area(s) within which a development agreement pursuant to Policy 3.13 will be considered.

3.13.2 In making a determination pursuant to Policy 3.13, Council shall have regard for the Residential Environments Policies as, and if, they apply and the proximity of such proposed uses to residential areas, schools, and other community facilities.

3.14 Pursuant to the authority of the Planning Act, the Land Use Bylaw shall allow for the replacement of deteriorated portions of structures containing non-conforming uses, provided that such replacement does not result in any increase in the habitable volume of the structure.

3.14 Further to Policies 1.6, 2.3 and 3.3 of Section VII of this Plan, the City may issue a development permit under an agreement with Council for a development which would not otherwise meet the provisions of the Bylaw.

3.14.1 In entering into agreements pursuant to Policy 3.14, Council shall be guided by the policies contained in Section VII of this Plan, and shall not enter into agreements which are inconsistent with those policies of this Plan.

3.15 Further to Policy 9.3 of Section VIII of this Plan, the City may issue a development permit under an agreement with Council for a development which would not otherwise meet the provisions of the Bylaw.

3.15.1 In entering into agreements pursuant to Policy 3.15, Council shall be guided by the policies contained in Section VIII of this Plan, and shall not enter into agreements which are inconsistent with those policies of this Plan.

3.16 Further to Policy 1.3 in Part IX of this Plan, the City may, pursuant to the authority of S.55(1) of the Planning Act, issue a development permit under an agreement with Council pursuant to S.55(2) of the Act for a development which would not otherwise meet the provisions of the Land Use Bylaw.

3.16.1 In entering agreements pursuant to Policy 3.16, Council shall be guided by the policies contained in Section IX of this Plan, and shall not enter into agreements which are inconsistent with those policies of this Plan.

3.17 Further to Policy 8.3 of Section X of this Plan, the City may issue a development permit under an agreement with Council for a development which would not otherwise meet the provisions of the Bylaw.

3.17.1 In entering into agreements pursuant to Policy 3.17, Council shall be guided by the policies contained in Section X of this Plan and shall not enter into agreements which are inconsistent with the policies of this Plan.

AMENDMENTS TO THE ZONING BYLAW

4. When considering amendments to the Zoning Bylaws and in addition to considering all relevant policies as set out in this Plan, the City shall have regard to the matters defined below.

4.1 The City shall ensure that the proposal would conform to this Plan and to all other City bylaws and regulations.

4.2 The City shall review the proposal to determine that it is not premature or inappropriate by reason of:

i) the fiscal capacity of the City to absorb the costs relating to the development; and

ii) the adequacy of all services provided by the City to serve the development.

4.3 More specifically, for those applications for amendments to the zoning bylaw in Mainland South as defined on Map 1, the City shall require an assessment of the proposal by staff with regard to this Plan and the adopted Land Development Distribution Strategy, and that such assessment include the potential impacts of the proposal on: (a) the sewer system (including the budgetary implications); (b) the water system; (c) the transportation system (including transit); (d) existing public schools; (e) existing recreation and community facilities; (f) the provision of police and fire protection services; and any other matter deemed advisable by Council prior to any final approval by City Council.

4.4 In an R-4 Zone or an R-3 Zone, the City may, under the provisions of Section 33(2)(b) of the Planning Act, permit modification of the minimum lot area and continuous street frontage provisions of the Peninsula and Mainland Zoning Bylaws for R-3 and R-4 uses. A decision of the Council of the City of Halifax to permit such modification may be preceded by a public hearing if deemed necessary, and such modification shall be granted provided:

(a) the amenity, convenience, character and value of neighbouring properties will not be adversely affected;

(b) conditions necessitating such modification are unique to the lot and have not been created by either the owner of such lot or the applicant;

(c) the modification is necessary to secure an appropriate development of the lot where such lot is of such restricted area that it cannot be appropriately developed without such modification;

(d) the modification is consistent with Section II of this Plan; and

(e) the registered owner of the land for which the modification is sought shall enter into an agreement with Council pursuant to Section 34(1) of the Planning Act.

4.5 In an R-4 Zone or an R-3 Zone, the City may, under the provisions of Section 33(2)(b) of the Planning Act, permit modification of the provisions of the Peninsula and Mainland Zoning Bylaws for R-4 and R-3 uses relating to the five (5) foot height requirement for a part of a proposed building not containing any windows or doors serving habitable rooms. A decision of the Council of the City of Halifax to permit such modification may be preceded by a public hearing if deemed necessary, and such modification shall be granted provided that:

(a) the amenity, convenience, character and value of neighbouring properties will not be adversely affected;

(b) conditions necessitating such modification are unique to the lot and have not been created by either the owner of such lot or the applicant;

(c) the modification is necessary to secure an appropriate development of the lot where such lot is of such restricted area that it cannot be appropriately developed without such modification;

(d) the modification is consistent with Section II of this Plan; and

(e) the registered owner of the land for which the modification is sought shall enter into an agreement with Council pursuant to Section 34(1) of the Planning Act.

4.6 For any proposed development, the City may permit modification of the yard or lot area or width provisions of the Peninsula and Mainland Zoning Bylaws under the authority of Section 33(2)(b) of the Planning Act. A decision of the Council of the City of Halifax to permit such modification may be preceded by a public hearing if deemed necessary and such modification shall be granted provided that:

(a) the amenity, convenience, character and value of neighbouring properties will not be adversely affected;

(b) conditions necessitating such modification are unique to the lot and have not been created by either the owner of such lot or the applicant;

(c) the modification is necessary to secure an appropriate development of the lot where such lot is of such restricted area that it cannot be appropriately developed without such modification;

(d) the modification is consistent with Section II of this Plan; and

(e) the registered owner of the land for which the modification is sought shall enter into an agreement with Council pursuant to Section 34(1) of the Planning Act.

4.7 Pursuant to Part II, Section II, Policy 3.6 of this Plan, the City shall establish a new zone to regulate "adult entertainment uses" in commercial areas.

4.7.1 In considering applications for rezoning to such a zone, the City shall have regard to the following matters:

(a) such zone shall be permitted only within commercial areas designated in this Plan; and

(b) the potential effect on the amenity, convenience, character and value of neighbouring properties; and

(c) the potential effect on the commercial area as a whole in which the use is intended to be located; and

(d) the potential effect on the viability of public or semi-public gathering places in relation to the contiguity of their location to such an intended use.

4.7.2 Where, in the opinion of the Council of the City of Halifax, adverse effects will result from a decision to rezone any property to the zone established pursuant to Policy 4.7 above, based on the considerations identified in Policy 4.7.1 above, such application to rezone shall be denied.

SUBDIVISION CONTROL

5. The City of Halifax shall apply the subdivision regulations and bylaw adopted by the City on June 16, 1977 as it may be amended from time to time in accordance with Section 49(8) of the Planning Act for all applications for subdivision in the context of this Plan.

5.1 The City may amend this Plan and the subdivision regulations as appropriate upon review and adoption of a planned unit development or similar process and regulations as called for by Section II, Policy 2.1.2 of this Plan. The City shall ensure that the subdivision regulations and the planned unit development regulations are complementary.

5.2 In areas designated industrial in the Bayers and Ragged Lake areas subdivision regulations shall be adopted which permit roadway and storm drainage standards and requirements that vary from those required elsewhere in the City. More specifically, there shall be no requirement for constructing sidewalks, piped street drainage and curb and gutter.

DEVELOPMENT OFFICER

6. In accordance with Section 43(1) of the Planning Act, the City shall appoint a Development Officer to administer the Zoning Bylaw, subdivision regulations and bylaws, and to grant development permits.

PLAN AMENDMENTS

7. An amendment to this Plan shall be required:

   i) to change, alter, amend, revise or delete any policy of Part II;

   ii) to undertake a proposed zoning amendment or rezoning which would otherwise not conform to the Generalized Future Land Use Map (Map 9) or to the policies of this Plan if warranted by further planning study; and

   iii) to incorporate detailed area or functional plans into this Plan.

8. Plan amendments shall require the approval of the Minister of Municipal Affairs and shall be carried out in accordance with the provisions of Sections 16 to 18 of the Planning Act.

PLAN REVIEW

9. The City shall review this Plan in accordance with Part III, Section II of this document, and shall submit desired amendments, if any, of this Plan to the Minister of Municipal Affairs for approval. In accordance with the provisions of Section 20 of the Planning Act, the City shall submit these review reports to the Minister of Municipal Affairs each five (5) years from the date of adoption of this Plan.

MUNICIPAL DEVELOPMENT PLAN AMENDMENTS
IN CHRONOLOGICAL ORDER OF MINISTERIAL APPROVAL

Amendment Number	Policies/Maps	Subject	Council Adoption	Ministerial Approval
1.	Implementation Policy 3.2.1.1; Schedule I (additions)	Schedule N	28/12/78	17/01/79
2.	Section II, Policy 2.6; Implementation Policies 4.7, 4.7.1, 4.7.2 (additions)	Massage Parlours	15/02/79	08/03/79
3.	Section II, Policy 5.4 (repealed); Policies 5.1.1, 5.1.2, 5.1.2.1, 5.1.2.2, 5.1.2.3 5.3.1, 5.3.1.1, 5.3.2, 5.3.3, 5.3.4, 5.3.5, 5.3.6, 5.3.7, 5.3.8, 5.4, 5.5, 5.6, 10.3.2 (additions) Section III, Policies 4.2.1, 4.2.2, 4.2.3 (repealed, amended, renumbered), Policy 4.2.4 (repealed); Section IV, Policies 3.1, 3.1.1 3.1.2, 3.1.3 (repealed, amended, renumbered)	Heritage Resources	03/07/79	29/08/79
4.	Map 9 (amended)	Soft Area 16 (Strawberry Hill Area)	16/08/79	18/09/79
5.	Implementation Policy 3.3 (amended)	Soft Area 4	16/08/79	28/09/79
6.	Implementation Policy 4.7 (amended)	Adult Entertainment Uses	12/06/80	18/08/80
7.	Implementation Policy 3.3.2 (amended); Map 9 (amended)	Comprehensive Development Districts	11/12/80	07/04/81

Amendment Number	Policies/Maps	Subject	Council Adoption	Ministerial Approval
8.	Addition of Section V; Introduction (amended); Section II, Policies 1.5.2 (amended); 12.2.1 (addition); Implementation Policies 3.2.1, Schedule I (amended), 3.10, 3.10.1 (additions); Maps 3, 5, 6, 7, and 9 (amended); addition of South End GFLUM	South End Area Plan	16/07/81	13/01/83
9.	Addition of Section VI; Introduction (amended); Section II, Policy 1.5.2, Implementation Policy 3.2.1 (amended); 3.11, 3.11.1 (additions); Maps 3, 5, 6, 7, and 9 (amended); addition of Peninsula Centre GFLUM	Peninsula Centre Area Plan	16/07/81	13/01/83
10.	Section II, Policies 2.7, 3.6 (additions); Policy 3.2 (amended); Implementation Policy 3.10 (addition); Map 9 (amended)	Soft Areas 17 & 18	15/07/82	24/03/83
11.	Section III, Area Definition, Policy 1.3.3 (amended); Maps 9, 10, 11, 13, 14 (amended); Section IV, Policy 2.2.2, Policy 5.5 (repealed)	CBD Boundary	17/02/83	08/04/83
12.	Section II, Policy 2.7 (addition); Implementation Policies 3.10, 3.10.1, 3.10.2 (additions)	Amusement Centres	27/01/83	12/04/83
13.	Section VI, Policy 3.4 (addition)	1350 Oxford Street (Case No. 4319)	28/04/83	25/05/83
14.	Section II, Policy 1.1.5 (addition); Implementation Policy 3.6.1 (addition); Maps 1 to 9 (amended)	Annexed Lands	28/07/83	11/12/84

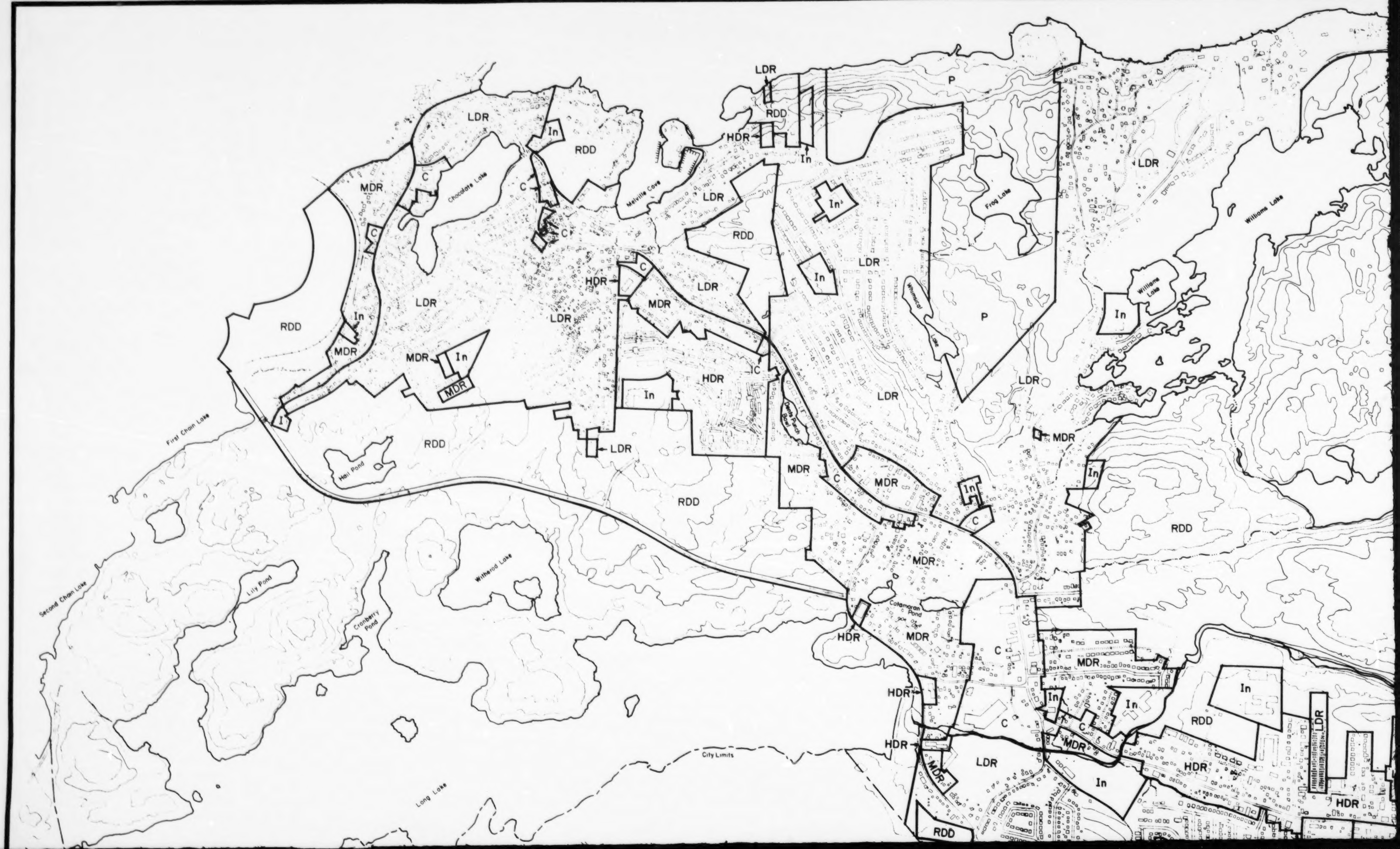
Amendment Number	Policies/Maps	Subject	Council Adoption	Ministerial Approval
15.	Addition of Section VIII; Introduction (amended); Section II, Policy 1.5.2 (amended); Implementation Policies 3.15, 3.15.1 (additions); Maps 3, 5, 6, 7 (amended); addition of Map 9d	Bedford Highway Area Plan	14/03/85	28/05/85
16.	Addition of Section VII; Introduction (amended); Section II, Policy 1.5.2 (amended); Implementation Policy 3.2.3 (repealed); Policies 3.2.4, 3.2.5 (amended); Policies 3.14, 3.14.1 (additions); Maps 3, 5, 6, 9 (amended); addition of Map 9c	Fairview Area Plan	31/01/85	05/07/85
17.	Section VI, Policy 8.1.4 (addition); Implementation Policy 3.11 (amended); Map 9b (amended)	Spring Garden Rd./Summer Street	25/07/85	29/08/85
18.	Implementation Policy 3.14 (addition)	Non-Conforming Buildings	16/05/85	08/11/85
19.	Section II, Policies 5.3 to 5.6 (renumber); Policies 5.3, 5.3.1, 5.3.2, 5.3.3 (additions); Section III, Policies 7.3 (repealed); Policies 7.3, 7.3.1 (additions); addition of Map 12a	Building Heights in area of Citadel	25/04/85	14/04/86
20.	Section II, Heritage Resources Definitions (additions); Policies 5.1, 5.1.1, 5.1.2, 5.1.2.1, 5.1.2.2, 5.1.2.3, 5.3, 5.3.1, 5.3.1.1, 5.3.2, 5.3.3, 5.4.2, 5.3.4, 5.3.5, 5.3.6, 5.3.7, 5.3.8, 5.4, 5.5, 5.6 (amended, repealed, renumbered, additions); Section III, Policies 4.2, 4.2.1, 4.2.2, 4.2.3, 4.3 (repealed, additions) Schedules III.2 & III.3 of Section III (repealed); Section	Heritage Property Act	27/02/86	06/06/86

Amendment Number	Policies/Maps	Subject	Council Adoption	Ministerial Approval
	IV, Definition of Terms, Objective 3, Policies 3.1, 3.1.1, 3.1.2, 3.1.3, 3.2.1, 3.2.1.1, 3.3, Schedule IV.1 (repealed, amended, additions); Section V, Policies 5.1, 5.1.1 (amended); Section VI, Policies 6.1, 6.1.1 (amended); Map 15 (repealed)			
21.	Addition of Section XII; Introduction (amended); Policy 1.5.2 (amended); Implementation Policy 3.2.1 (amended); Maps 3, 5, 6, 7, 9 (amended); addition of Map 9h	Quinpool Road Commercial Area Plan	31/07/86	22/12/86
22.	Section VI, Policy 2.4 (amended) Policies 8.3.3, 8.3.4, 8.3.5, 8.3.6, 8.3.7, Schedule VI.1 (additions); Implementation Policy 3.11 (amended)	Peninsula Centre (north side of Pepperell Street)	31/07/86	22/12/86
23.	Addition of Section IX; Introduction (amended); Policy 1.5.2 (amended); Implementation Policy 3.2.1 (amended); Policies 3.16, 3.16.1 (additions); Maps 3, 5, 9 (amended); addition of Map 9e	Spring Garden Road Area Plan	15/05/86	06/01/87
24.	Section V, Policy 1.4.3.2 (repealed)	Residential - Commercial Mix Designation	28/06/84	03/02/87
25.	Introduction (amended); Section II, Policy 1.5.2 (amended); Implementation Policies 3.15, 3.15.1 (additions); Maps 3, 5, 6, 7, 9 (amended)	Bedford Highway Area Plan (incorporation amendments)	14/03/85	02/03/87
26.	Introduction (amended); Section II, Policy 1.5.2 (amended); Implementation Policies 3.2.3 (repealed); 3.2.4, 3.2.5 (amended); 3.14 (addition); Maps 3, 5, 6, 9 (amended)	Fairview Area Plan (incorporation amendments)	31/01/85	02/03/87

Amendment Number	Policies/Maps	Subject	Council Adoption	Ministerial Approval
27.	Section II, Policies 6.2.2, 6.2.2.1 (additions)	Community Facilities	28/06/84	13/04/87
28.	Section V, Policies 7.5.5, 7.6.1 (additions); Implementation Policy 3.10 (amended); Map 9A (amended)	5561-65 and 5560-62 Morris St.	15/01/87	22/04/87
29.	Section I, Overall Objectives (amended); Section II, Policy Set 1 (renumbered); Policy Set 1 (addition); Policy Sets 2 to 12 (renumbered); Policies 2.1.3, 2.1.4, 2.5.2, 2.5.5, 2.5.6, 3.1.1, 3.3, 3.4, 3.5, 3.5.1, 3.5.2, 3.7, 4.1.1, 4.1, 4.2, 4.2.1, 4.5, 4.6, 5.2, 5.2.1 5.3, 7.7, 7.8 to 7.14, 8.1, 8.3, 9.2.2, 9.6.8, 11.2, 11.3, 11.4, 13.2.1 (amended, repealed, renumbered, additions); Section III, Context, Policies 1.1.3, 1.3 to 1.3.4, 1.4 to 1.5.1, 2.2.1, 3.1, 3.3, 3.3.2, 7.5.1 (amended, repealed, renumbered); Section IV, Context (amended); Section V, Content, Policies 2.2, 5.1 (amended); Section VI, Context, Policies 2.2, 2.3, 6.1 (amended); Section VII, Policy 2.2 (amended); Section VIII, Policies 5.1.1, 6.2 (amended); Section IX, Context, Policies 1.1, 2.5 (amended); Section XII, Policy 2.1 (amended); Implementation Policies 3.1, 3.1.1, 3.2, 3.2.1, 3.2.2, 3.3, 3.3.2, 3.3.3, 3.3.4, 3.4, 3.6, 3.6.1, 3.8, 3.9, 3.12, 3.13, 4.7, 5.1 (amended, repealed, renumbered, addition); Maps 1, 3, 4, 5, 6, 7, 9 (amended, repealed)	Residential Environments and Economic Development Subcommittees of Municipal Development Review Committees	13/11/86	06/05/87

Amendment Number	Policies/Maps	Subject	Council Adoption	Ministerial Approval
30.	Addition of Section X; Introduction (amended); Section II, Policies 2.5.2, 3.2.2, 3.2.4, 3.2.5, 3.6, 3.17, 3.17.1 (amended, repealed, additions); Maps 3, 9 (amended)	Mainland South Area Plan	28/05/87	29/06/87
31.	Section II, Map 9 (amended)	Lady Hammond Road Area (Bridge Commission Lands)	30/04/87	30/06/87
32.	Section II, Policies 3.7, 4.6 (amended); Map 9 (amended)	Commercial/ Industrial Policy Sets and redesignation of lands at Kearney Lake Road and Bicentennial Drive (Case No. 5751)	16/07/87	9/10/87
33.	Map 9f (Mainland South) (amended)	26 Alton Drive (Case No. 5362)	11/02/88	25/07/88
34.	Section VI, Policy 2.1 (amended)	Neighbourhood Commercial (Case No. 5068)	25/02/88	31/08/88
35.	Map 9 (amended)	Lacewood and Dunbrack (Case No. 5614)	29/06/88	17/10/88
36.	Section II, Map 9 (amended); Section VIII, Map 1 (amended)	Bedford Highway Properties (Case No. 5544)	15/09/88	25/01/89
37.	Section V, Policy 5.1.1 (repealed); Section II, Policy 6.8 (addition)	Heritage Property Amendments (Case No. 5735)	13/10/8	13/02/89

Amendment Number	Policies/Maps	Subject	Council Adoption	Ministerial Approval
38.	Section V, Policies 7.6.2, 7.6.3 (additions)	Permit Offices of Non-Profit Organization of a Medical Nature on South Street (Case No. 5221)	04/01/89	10/03/89
39.	Section X, Policies 2.2.3, 2.2.4 (additions)	Specialty Automobile Shops (Case No. 5750)	27/04/89	29/06/89
40.	Generalized Future Land Use Maps to Major Community Open Spaces (amended)	Community Park Graves-Oakley and Tremont Plateau Parks (Case No. 5783)	06/09/89	05/10/89
41.	Section V, Policies 1.2, 2.4 (amended); Section VI, Policy 2.2.2 (amended); Section X, Policy 2.4 (amended); Section XII, Policy 2.3 (repealed); Implementation Policy 10 (repealed)	Implementation Policy 10 (Case No. 5529)	06/09/89	12/10/89
42.	Section II, Policies 2.1.5, 4.3.1, 4.4 (amended); Implementation Policies 3.6.1 (repealed), 5.2 (addition); Maps 1, 4, 9 (amended)	West Side Bicentennial Drive at Bayers Lake Interchange (Case No. 5751)	23/08/89	26/10/89
43.	Section VII, Policies 1.3, 1.3.1, 1.3.2 (repealed and replaced)	Ability rezone greater than 4 units (Case 5780)	17/01/90	15/02/90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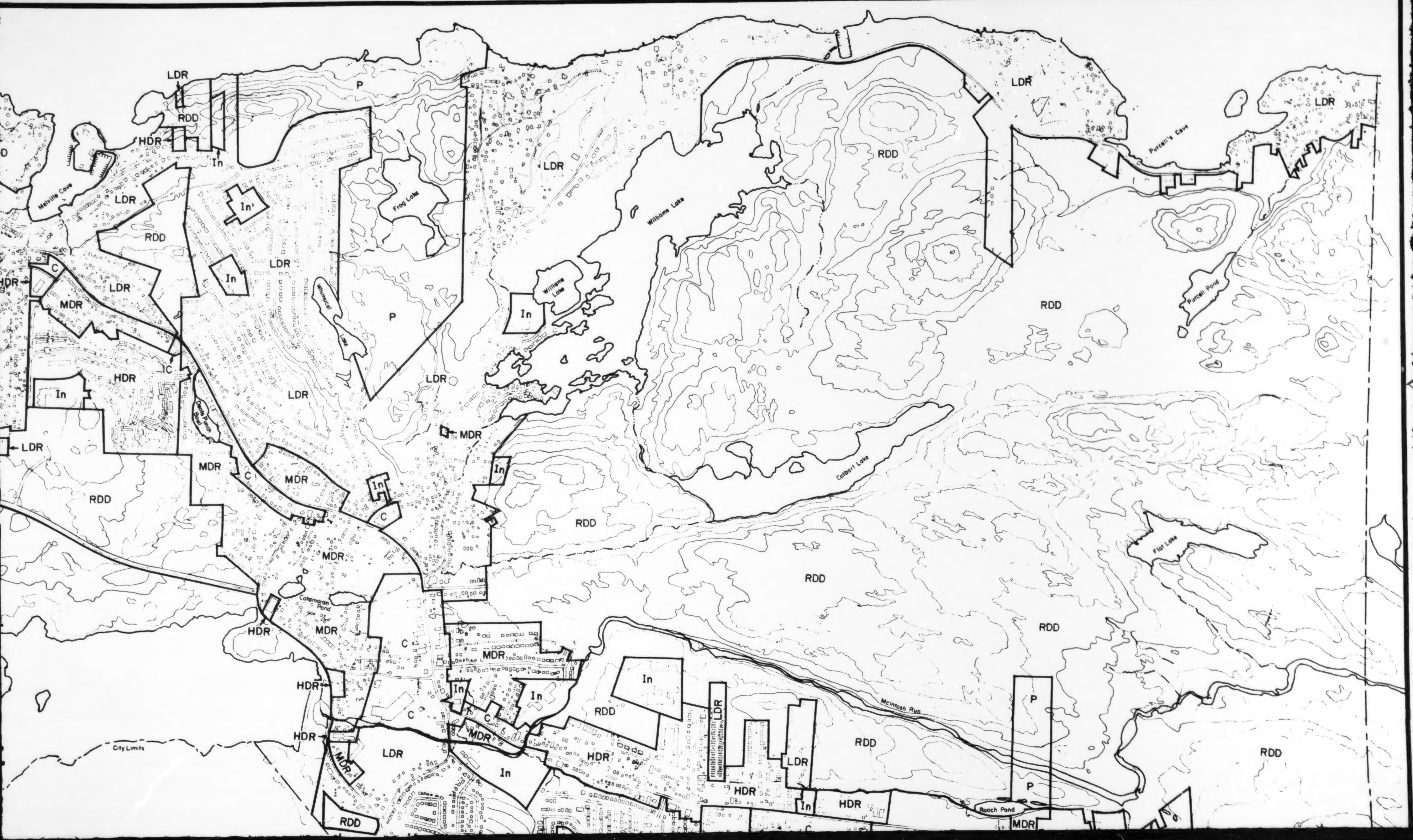
City Limits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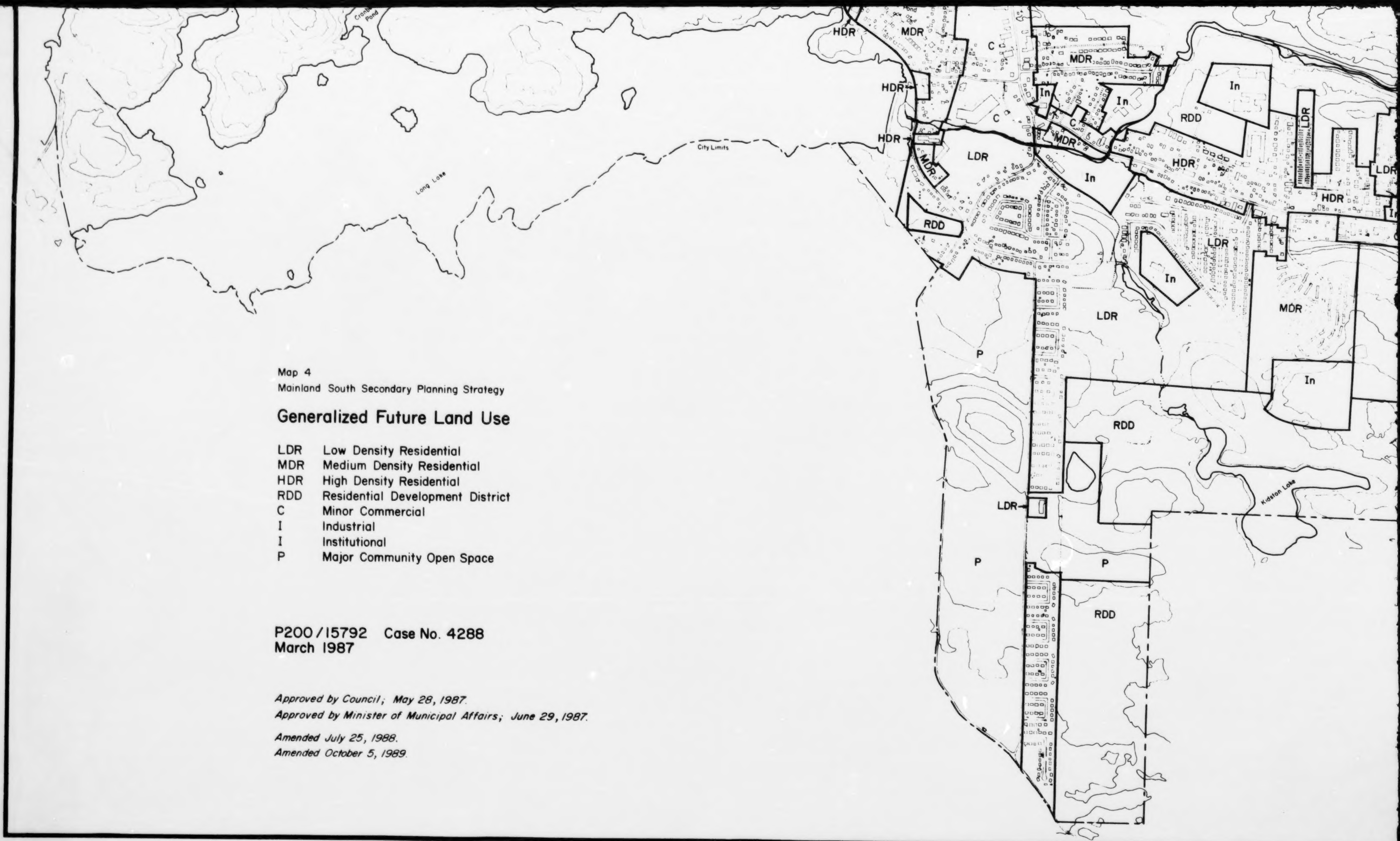

Pond
HDR
MDR
C
MDR
In
In
In
RDD
LDR
HDR
C
C
HDR
MDR
City Limits
LDR
MDR
In
HDR
LDR
HDR
Long Lake
RDD
LDR
In
LDR
MDR
P
In
RDD
LDR
Kidston Lake
P
P
RDD
P

Map 4
Mainland South Secondary Planning Strategy

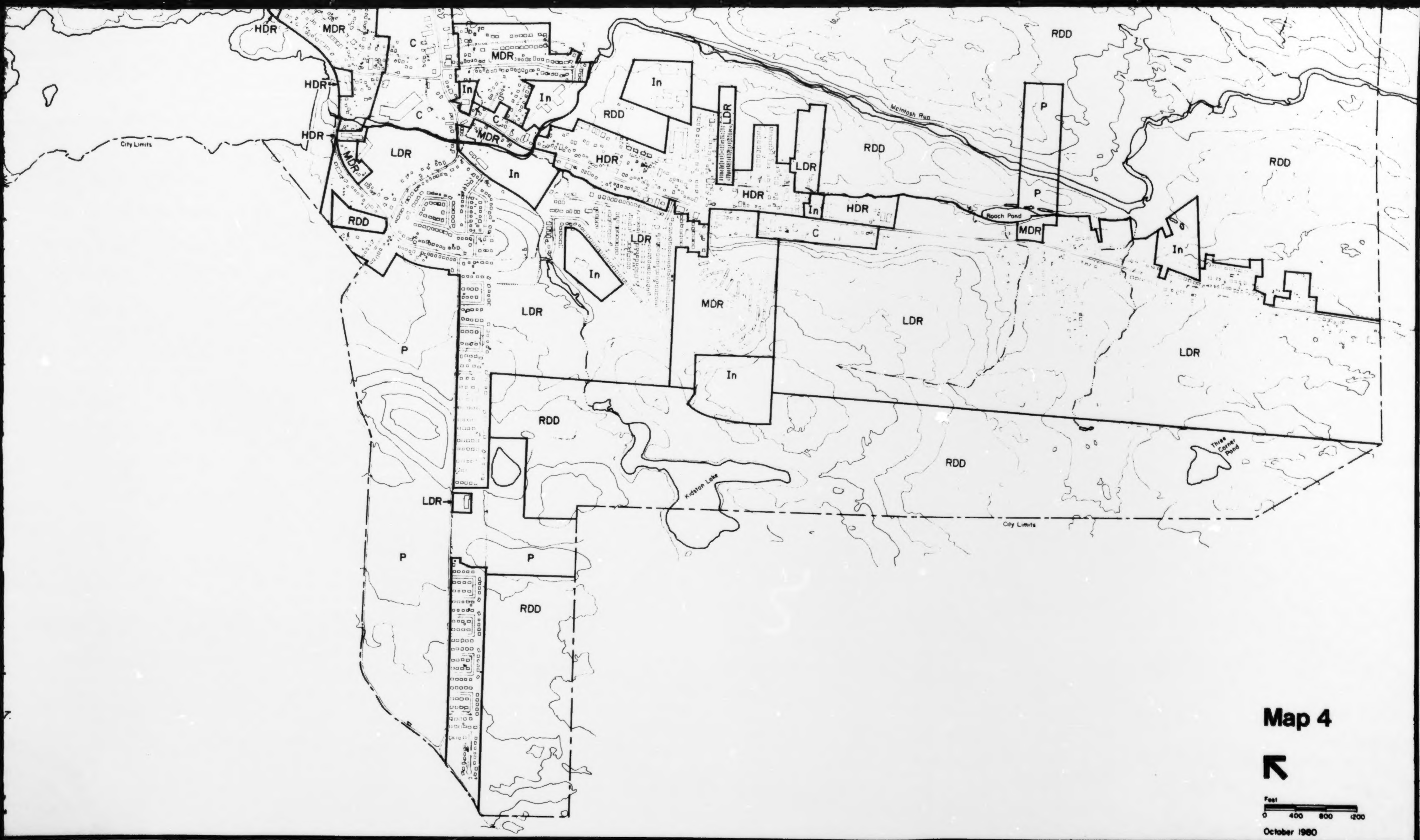
Generalized Future Land Use

LDR	Low Density Residential
MDR	Medium Density Residential
HDR	High Density Residential
RDD	Residential Development District
C	Minor Commercial
I	Industrial
I	Institutional
P	Major Community Open Space

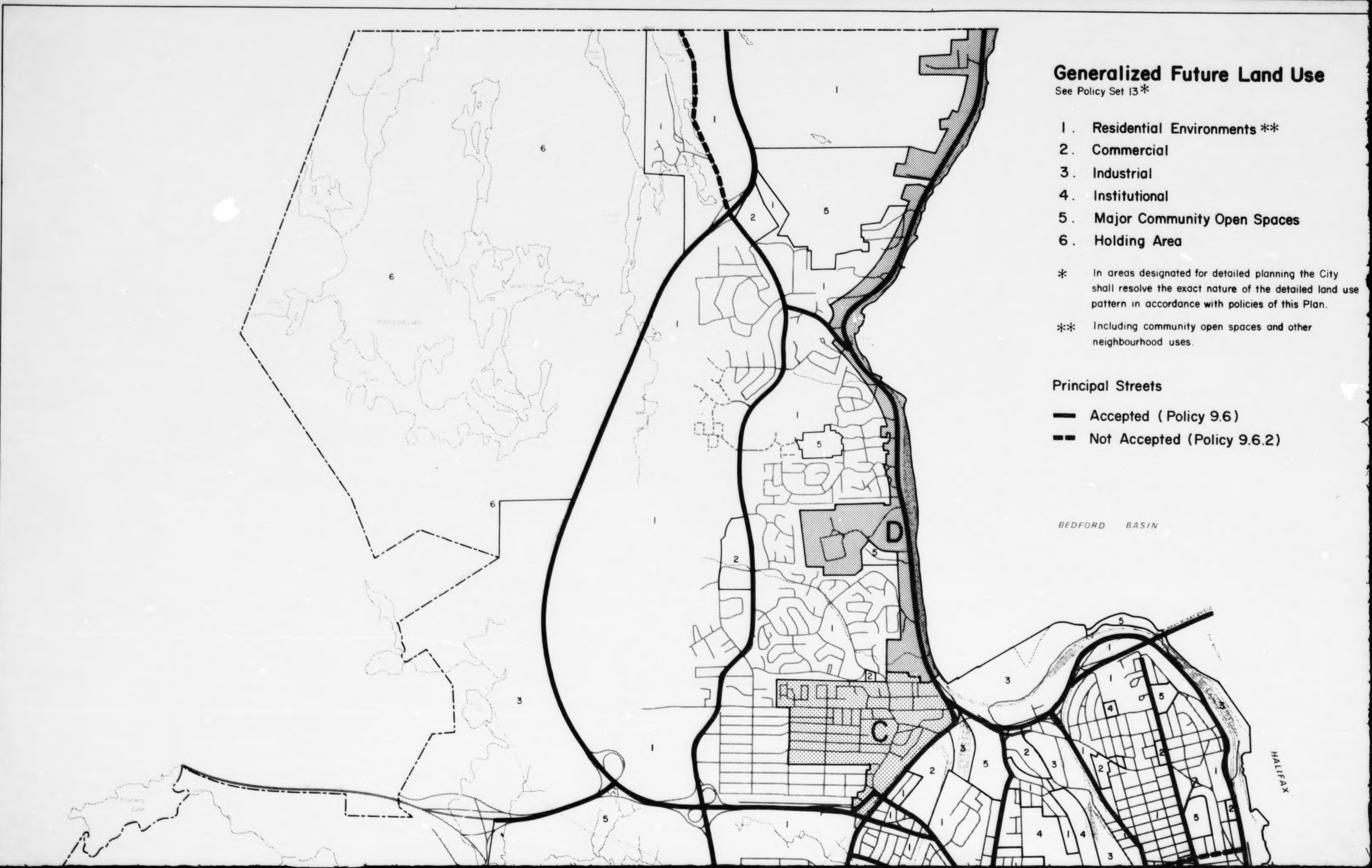
P200/15792 Case No. 4288
March 1987

Approved by Council; May 28, 1987.
Approved by Minister of Municipal Affairs; June 29, 1987.

Amended July 25, 1988.
Amended October 5, 1989.


HDR
MDR
C
HDR
HDR
MDR
In
C
In
C
MDR
RDD
In
LDR
LDR
In
HDR
City Limits
RDD
In
RDD
LDR
HDR
In
HDR
LDR
C
McIntosh Run
P
P
Rooch Pond
MDR
RDD
In
RDD
LDR
MDR
In
LDR
LDR
P
RDD
RDD
Kidston Lake
Three Corner Pond
LDR
City Limits
P
P
RDD
Feet
0 400 800 1200
October 1980

Map 4



Generalized Future Land Use

See Policy Set 13*

1. Residential Environments **
2. Commercial
3. Industrial
4. Institutional
5. Major Community Open Spaces
6. Holding Area

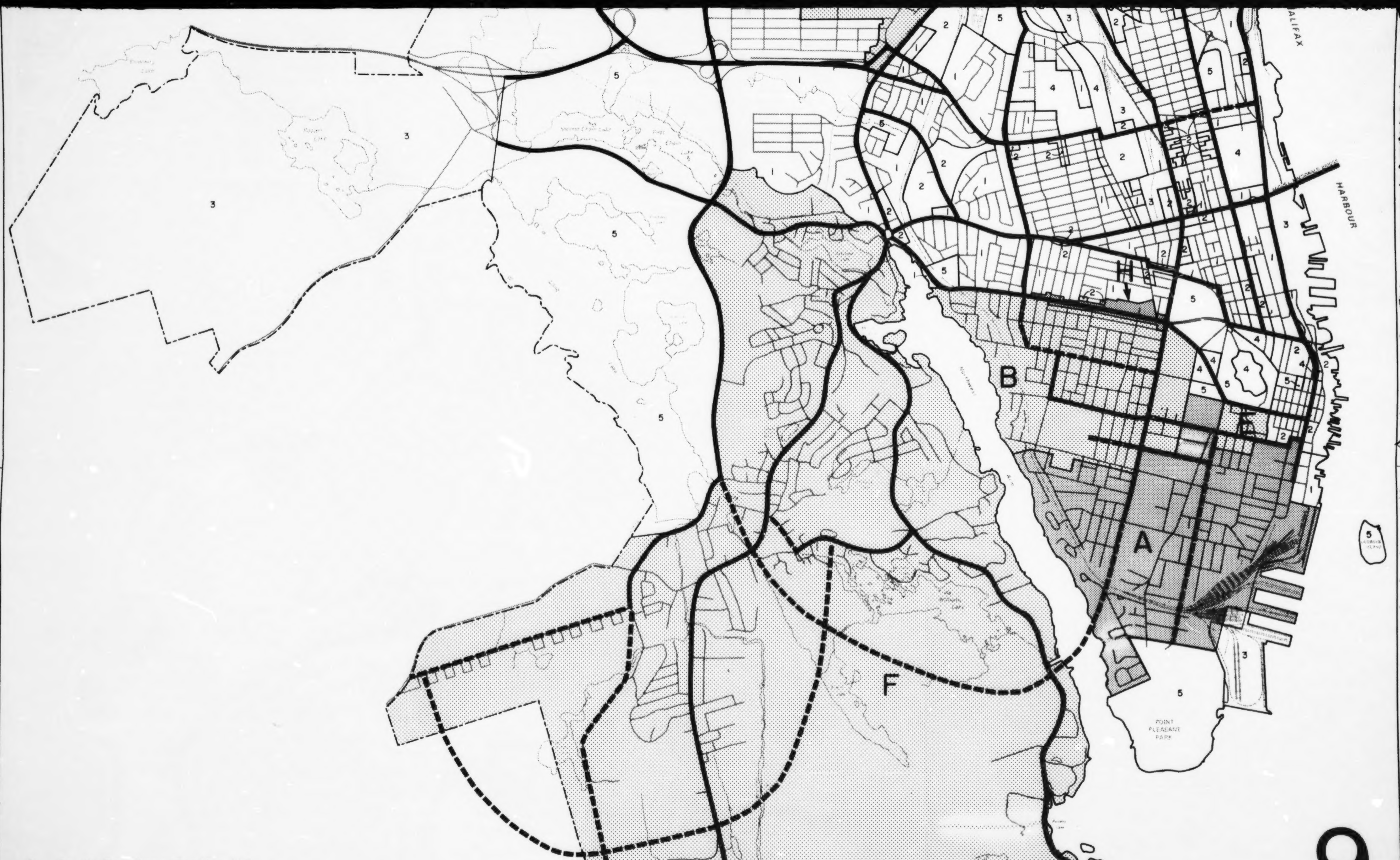
* In areas designated for detailed planning the City shall resolve the exact nature of the detailed land use pattern in accordance with policies of this Plan.

** Including community open spaces and other neighbourhood uses.

Principal Streets

▬ Accepted (Policy 9.6)

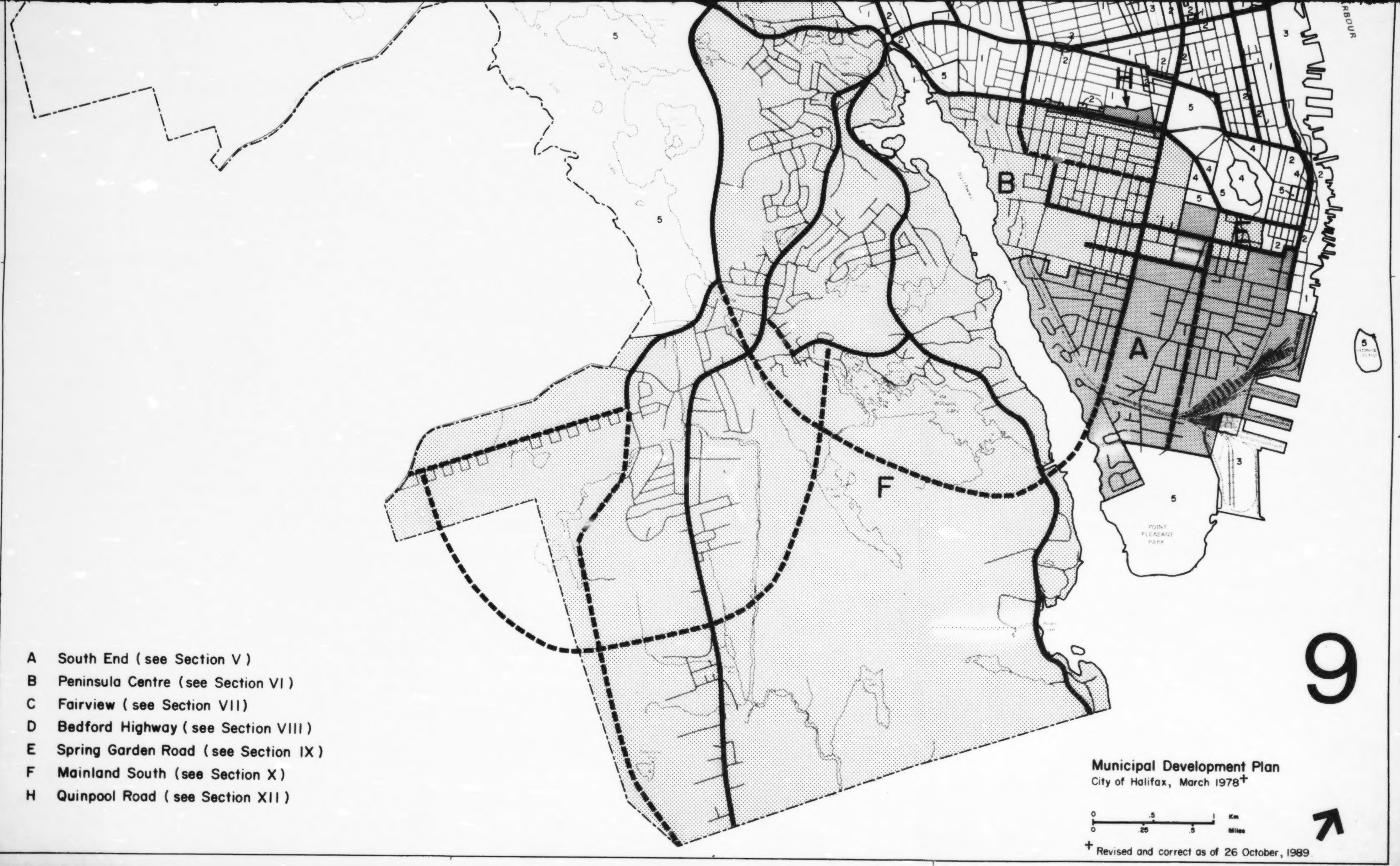
▬ ▬ Not Accepted (Policy 9.6.2)


ALIFAX
HARBOUR
B
A
F
POINT
PLEASANT
PARK
1
2
3
4
5

A South End (see Section V)

B Peninsula Centre (see Section VI)

9


9
A
B
F
H
POINT PLEASANT PARK
HARBOUR
Km
Miles
0
.5
1
0
.25
.5

A South End (see Section V)
B Peninsula Centre (see Section VI)
C Fairview (see Section VII)
D Bedford Highway (see Section VIII)
E Spring Garden Road (see Section IX)
F Mainland South (see Section X)
H Quinpool Road (see Section XII)

Municipal Development Plan
City of Halifax, March 1978+

+ Revised and correct as of 26 October, 1989.